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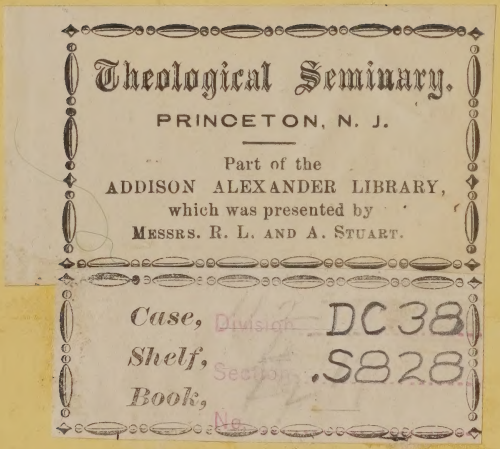
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LECTURES

ON THE

HISTORY OF FRANCE.

BY THE RIGHT HONORABLE

SIR JAMES STEPHEN, K.C.B., LL.D.,

PROFESSOR OF MODERN HISTORY IN THE UNIVERSITY OF CAMBRIDGE.

NEW YORK:

HARPER & BROTHERS, PUBLISHERS,

82 CLIFF STREET.

1852.

TO

THE REV. WILLIAM WHEWELL, D.D.,

MASTER OF TRINITY COLLEGE, CAMBRIDGE.

My dear Sir,—

I should be sorely embarrassed if it were necessary for me, in dedicating this book to you, to attempt an imitation of that lapidary style in which Dryden and his contemporaries were accustomed to lay their works at the feet of their patrons. I could with almost equal ease present myself at your hospitable lodge at Trinity, in a coat embroidered like that in which Dryden, when in *statu pupillari* there, may have waited on the Master of his days. Perhaps, indeed, neither our language nor our appearance has really been improved by the exchange of the habits of our ancestors for those now in use among us. But, at present, I gladly avail myself of the unceremonious fashions of our age to address you, not in a formal inscription, but in a familiar letter, since in such a letter I shall best be able to pursue that discursive course which will, I foresee, be necessary for bringing under your notice some of the many topics to which I am desirous to refer.

When, in the summer of 1849, her majesty was pleased to appoint me to be her Professor of Modern History at Cambridge, I consulted three, and three only, of my friends, as to the means by which I could most effectually discharge the duties of my office, apprising each of them that the History of France was the subject on which I first proposed to enter. "In that case," answered Mr. John Austin (from whose company no man ever returned without a fuller mind and a warmer heart), "your business will be to ex-

plain the institutions of the old French monarchy. There are no questions connected with the history of that country which so readily admit, or which so much require, illustration from a lecturer." Mr. Macaulay's answer was, in substance, that of all the fields of French History, that of the wars of religion was the richest and the least exhausted; but he added that no man could be competent to take possession publicly of that, or any other wide subject of historical inquiry, without a preliminary silence, and a particular preparation of at least two or three years. By yourself I was told that the arrangements so recently made for the better conduct of our academical studies and examinations proceeded on the assumption that the public duties of my own office would be undertaken and performed without delay; that the abandonment of them, even for a single year, would defeat one essential part of the general scheme, and would involve the rest in confusion; and that, therefore, the interest of the University required that I should do my best at once, and that I might do it with a good hope of a kind and indulgent acceptance of the endeavor.

If I had consulted either my ease or my credit, I should have been guided by Mr. Macaulay's advice. But I soon became convinced that it was my duty rather to defer to Mr. Austin's opinion and to yours. I therefore delivered, in Easter Term, 1850, the first twelve Lectures contained in the accompanying volume. In Easter Term, 1851, I added to them the remaining twelve.

I anticipate your answer, that thus far I have been explaining why I lectured prematurely; but that what is really wanting is rather a defense for my now publishing precipitately. To render my apology on that head intelligible, you must allow me, in sea phrase, to take a good offing.

In the year 1812 I ceased to be an under-graduate, and at once became so deeply immersed in the active business of life at London, that when, after an interval of thirty-eight years, I returned to Cambridge, it was a scene in which I found almost all the interest of perfect novelty. Most of the venerable old buildings were indeed standing, and among the occupants of them I could still recognize some few of my old college contemporaries. But I soon ascertained that the revolutionary spirit, which is so active in our courts and Parliaments, was not less wakeful in our collegiate halls and cloisters.

If I had the pen of Edward Gibbon, I could draw from my own early experience a picture which would form no unmeet companion for that which he has bequeathed to us of his education at Oxford. The three or four years during which I lived on the banks of the Cam were passed in a very pleasant, though not a very cheap hotel. But if they had been passed at the Clarendon, in Bond Street, I do not think that the exchange would have deprived me of any aids for intellectual discipline, or for acquiring literary or scientific knowledge.

But in 1849 I discovered that not only those ancient under-graduate liberties were overthrown, but that even the tradition and memorial of them had passed away. They had given place to innovations which would have made the hair stand on end on those venerable wigs which were worn by the "heads of houses" in my time. All the old text-books in science and in literature had been superseded. All the public examinations had altered their character. Studies unheard of in the first decade of the present century were either occupying or contending for a foremost place in our system of instruction. All our academical statutes had undergone or were undergoing revision. Reform-

atory enactments had succeeded each other in such number and with such rapidity as to exercise severely the skill of the most practiced interpreter of the law. Every principle of education, however well established, and every habit of teaching, however inveterate, had been fearlessly questioned, and not seldom laid aside. And presiding over all this movement I found one dominant mind, informed by such an accumulation of knowledge and experience as might have become a patriarch, and yet animated by such indomitable hopefulness and vivacity as might have been supposed to be the exclusive privilege of boyhood.

In the contemplation of all these changes, my chief solicitude, of course, was to ascertain what were the particular duties which had devolved on myself. I found that I was not only expected, like my predecessors, to read public lectures on Modern History, but that I was also to conduct examinations on that subject, sometimes alone, and sometimes in concert with others—alone in the case of pupils who, being unambitious of honorary distinctions, might seek merely to obtain from me a certificate of their acquaintance with some one or two particular historical books; in concert with others in the case of candidates for rank and honor among the students of the moral sciences.

I will not conceal from you that I regarded, and still regard, with some regret, my share in this apportionment of labor; not, indeed, that I consider it either as onerous or unequal, but that I am constrained to view it as of very doubtful utility.

Within the compass of the "moral sciences" embraced in these examinations are included Moral Philosophy, English Law, General Jurisprudence, Modern History, and Political Economy. Our honorary distinctions are to be awarded for proficiency, not in any one of these pursuits alone, but in them all collective-

ly. The candidates for such distinctions must, until within a month or two of their examination, have continued to prosecute those scientific, literary, and theological studies, in which the entire body of our pupils are engaged throughout the whole of their academical course. To myself, therefore, it seems simply impossible that they should really be conversant with even any one of the five moral sciences in question. A young man who, under such circumstances, should really be conversant with them all, might read the life of the admirable Crichton without incredulity and without despair.

We shall, however, from year to year, propose questions on all of those subjects, and we shall, undoubtedly, receive many ingenious and specious answers to them. I, for one, shall read such answers with regret; for if there be any one habit of mind which I should especially desire to discourage in men entering into the business of life, it is the habit of substituting a shabby plausibility for sound knowledge; and how can we avoid promoting that disingenuous and pernicious practice when we invite the aspirants to distinction among us to submit themselves to an examination in sciences which we have not allowed them time to investigate or to understand? For example, let any one who ever devoted himself to the study of the law of England say whether a few brief interstitial hours, stolen with difficulty from his indispensable academical pursuits, will enable a young man, in his twenty-first or twenty-second year, to know any thing worth the knowing of that boundless, and toilsome, and ever-shifting field of inquiry. Yet an adroit and dexterous man may, even under such circumstances, assume the deceptive semblance of such knowledge. I could, therefore, earnestly have wished that each candidate for distinction in the moral sciences had

been permitted to choose some one such science to which alone his examination was to be confined, and had also been first discharged from his classical and mathematical labors during a period sufficiently long to enable him to pursue it below the mere surface.

My duty, however, being to obey the law as I found it, I applied myself to discover how such obedience could be most effectually rendered. The result was, to disclose to me some formidable and hardly anticipated difficulties. Thus I learned, that of the gentlemen whom I was to instruct and to examine, a considerable portion had no acquaintance with any modern language except their own, and that the most popular and elementary French works on the History of France were apparently unknown to a still greater number of them. Among such of them with whom I conversed, I found, therefore, an almost unanimous solicitude to be directed to some English book on the subject of French history, by the aid of which they might prepare themselves for what was to be taught in the lecture-room.

I need not remind you that the only such books are Robertson's "Introduction to the History of Charles V.," and the first volume of Mr. Hallam's "View of the State of Europe during the Middle Ages," or rather so much of that volume as is contained in its first and second chapters. The second of those chapters so completely answered the demand of my pupils, that, in the fifth of the following Lectures, I referred them to it and to Robertson as their guides on every question connected with the French Feudal System. But the first of Mr. Hallam's chapters, which contains an epitome of the history of France from its conquest by Clovis to the invasion of Naples by Charles VIII., was not equally suited to my immediate purpose; for my plan embraced inquiries extending far beyond the

reign of Charles VIII., and the very circumstance which constitutes the beauty and excellence of that passage of the "View of the State of Europe during the Middle Ages"—I mean the wonderful art with which a narrative so luminous and so comprehensive is compressed into so small a space—though befitting it for higher ends, unfits it for serving as a class or lecture book. Mr. Hallam every where presupposes in his readers an extent and a variety of previous information which it was impossible for me to ascribe to the great majority of my youthful audience.

I found, therefore, that, in order to teach the History of France, I must begin by drawing up an introduction to it, with the omission of the whole subject of the feudal system, on which Mr. Hallam had left me nothing material to say. I sought, however, diligently at Paris, during a residence of several months there, for any book, a translation of which might relieve me from the labor of composing, and from the risk of publishing, such an introduction. Finding no such book, I performed that labor, as I now incur that risk.

It has, indeed, been suggested to me that an annual recitation of my lectures would supersede the necessity of sending them to the press. My answer is, that, after once making the experiment, I have renounced the hope of being ever able to repeat the same discourses year after year. I must venture to add, that I am extremely skeptical as to the real value of public oral teaching on such a subject as mine. If Abélard himself were living now, I believe that he would address his instructions, not to the ears of thousands crowding round his chair, but to the eyes of myriads reading them in studious seclusion.

I trust, therefore, that, in publishing this book without farther delay, I am really acting in the spirit of

that advice for which I am indebted to you. In the early delivery and in the early publication of my Lectures, my object has been the same. It has been in either case to meet an exigency for which I am bound, to the best of my power, to provide, and for which I knew not how otherwise to make provision.

I trust, also, that I have been regardless of Mr. Macaulay's admonition in appearance rather than in reality. Such rapidity of execution would, indeed, be altogether absurd, if, in giving this volume to the world, I were a candidate for a place in that small and illustrious company of historical writers to which he and Mr. Hallam belong. But to disclaim any such pretension would not be so much superfluous as it would be ludicrous.

In the few prefatory words with which I opened these Lectures at Cambridge, and which I have no means of quoting except from memory, I remember to have said to the senior members of the University, who had done me the honor to attend on that occasion, that I had nothing to offer which invited or which would reward their attention; for that, having expected to address myself to those, and to those only, to whom Modern History was an almost untrodden field, I had prepared nothing which was not perfectly simple, familiar, and elementary. The Lectures which, in accordance with that announcement, I then proceeded to deliver, and which I now publish, constitute neither a history, nor a series of historical treatises, but merely a class or lecture book for the use of the students of our University. I entirely disclaim for them any more ambitious character. I have entertained no higher design than that of laying before my pupils what I suppose to be an accurate summary of the actual state of a particular branch of the science I have to teach. I have not undertaken to enlarge the limits of that

science. I have not passed over, nor have I thought myself at liberty to pass over, in silence, any material fact, or any important consideration, merely because it may have been adduced by some, or repeated by many, before me. Of those who may turn over these pages, not a few may perhaps, therefore, find in them no material addition to their antecedent stock of knowledge; but to those whom I have undertaken to instruct, and for whom alone I have written, I have good reason to believe that a very large part of what they will find in this volume will have the attraction of novelty.

In making this statement, I have no design to depreciate or to disparage my own labors. An historian aims at one kind of praise, a lecturer at another. It was no reproach to our great grammarian, Roger Ascham, that he did not teach such lessons as our great critic Richard Bentley afterward taught. The lectures which in former days you delivered to your pupils on some of the inductive sciences were, I presume, far less profound and original than the history which you have given to the learned world at large, of those sciences collectively.

Neither do I design to represent this book as a compilation. The plan of it, at least, is my own. In the execution of that plan I have declined no labor, mental or bodily, which I have been able to sustain. I have examined all the authorities, original and secondary, to which it has been in my power to refer, and I have diligently meditated every result to which those investigations have appeared to me to lead. Having done so, I have freely availed myself of the aids which I have been able to derive from many of the great authors of France. To have declined such aid was not, I think, permitted to me; for I am well assured that no teacher who has not, like them, devoted a long course of laborious years to the investigation of their national

archives, could habitually substitute his own conclusions for theirs, without sacrificing the interest of his pupils to the mere vanity of authorship.

The motives which forbade the great lecturers of our times, MM. Guizot, Schlegel, and Fauriel, and their more humble followers, from referring to the authorities for every fact which they had occasion to state, have compelled me to follow their example. I have, however, referred to most of the writers whom I have chiefly employed. Yet there is one omission which I am anxious to take this opportunity of supplying. I allude to the work of M. de Choiseul—Daillecourt on the Crusades—a book far less known than it deserves to be in England, or, as I should infer, even in France itself. Having the surest grounds for concluding that he is the best of all existing guides on that subject (vast as is the multitude by whom it has been recently handled), I have followed him with a confidence which has been increased by every test to which I have been able to subject the accuracy of his statements and quotations.

I fear that I shall appear to have been almost as forgetful of Mr. Austin's counsels as of those of Mr. Macaulay; for though, in deference to them, I have endeavored to illustrate the municipal, the judicial, the noble, the sacerdotal, the fiscal, and the representative institutions of the old French monarchy, yet I have much more often and more largely deviated into topics of a more popular kind. But a brief experience convinced me that, to pursue the subject of those institutions into all their ramifications and details, and to render such discussions interesting to my young audience, it would have been necessary for me to possess all Mr. Austin's boundless acquaintance with the history of France, vivified by an imagination as rich and as sleepless as that of Mr. Macaulay. I doubt not that

my successors will have to address themselves to pupils prepared to follow them into the most arid fields of historical investigation. In the present times, I believe that the choice must be made between habitually handling topics of more general interest and speaking to empty benches.

As you frequently condescended, and sometimes at no small personal inconvenience, to afford me your support and countenance by taking a seat among my auditors, you may, perhaps, observe that my Lectures, as they are now printed, differ in some respects from those which were actually spoken. In general they are unaltered, the words, as well as the substance, being to a very great extent retained. But with a view to perspicuity, I have in many places changed the arrangement, and have added passages which I could not have pronounced in my lecture-room without violating that wholesome law or custom which requires every lecturer among us to close his discourse as soon as his hour-glass shall have run out its sands.

Such are the circumstances under which I have written, and now publish, this book, and commend it to your protection. I have long since thought that the stories which we learned in our nurseries to the prejudice of the giants must have been so many calumnies; for, in the whole of my intercourse with mankind, I have perceived that a man's willingness to be pleased, his indulgence to every honest attempt to be either useful or agreeable, and his talent for detecting something admirable or praiseworthy in whatever he reads or hears, are in exact proportion to his own intellectual stature. I therefore present this book to you, quite at ease as to the spirit in which *you* will receive and criticise it; and without even soliciting your indulgent kindness, because experience

has taught me how largely and spontaneously it flows toward every one who stands in need of it.

I am, my dear sir, most truly yours,

JAMES STEPHEN.

Richmond-on-Thames, October, 1851.

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LECTURES.

LECTURE I.

ON THE DECLINE AND FALL OF THE ROMANO-GALLIC PROVINCE.

In the discourse which precedes and introduces his lectures on Modern History, my immediate predecessor has, with characteristic perspicuity, stated and resolved the problem how his labors might best be rendered conducive to the advancement of his pupils. He states himself to have declined, as impracticable, the plan of entering into the details of any historical narrative. He informs us that, having at first indulged, he ultimately abandoned, the hope of exhibiting an estimate and summary of the workings of our common nature on the theatre of the civilized world in recent times. He appears to have at one time entertained, and afterward to have rejected, the design of passing in review various historical epochs, and of examining into the relations which they severally bore to each other. Finally, we learn that, after revolving the utility of each of these projects, he at length adopted the conclusion that he should most effectually improve those whom he had undertaken to instruct, by teaching them, not what the history of the world actually had been, but rather by what methods, with what views, and under the guidance of what teachers, that history ought to be studied.

Pursuing this design, Mr. Smythe proceeded to show by copious illustrations how history might be rescued from barren details, and from generalities no less barren, and might be converted into a practical doctrine and a nutritive science. He proposed and investigated several of the great questions to which it gives birth, and instructed his pupils by what conduct of the understanding similar problems might be elicited from the chronicles of past times, and might be resolved by

the moral and political sciences of the times in which we live. He proceeded to recommend various courses of reading, adapted to the different lines of research in which his hearers might ultimately engage, and measured by the leisure, whether more or less considerable, which they might be able to bestow on the prosecution of them. He then indicated, with force and brevity, and with a candor no less generous than intrepid, what were the merits, and what the defects, of the various authors to whom they would have occasion to refer.

Great as are the obligations which Mr. Smythe has thus conferred on the University, and on the world of letters at large, an especial debt of gratitude is due to him from myself as his successor; for he has relieved me from many arduous duties, which, without his aid, it would have been incumbent on me to undertake. Assuming, and not, I trust, erroneously assuming, that every one who shall enter on that course of study to which I am about to direct you, will have first carefully possessed himself of the substance of Mr. Smythe's lectures, I am able to advance at once to the accomplishment of the design which I have myself projected, and to which (as indeed to all inquiries into the history of modern times) his writings contain an invaluable introduction.

To a great extent, though not perhaps entirely, I concur in my predecessor's opinion, that it would be impossible to deliver from this Chair a connected narrative of any series of historical events. But, on the other hand, he by whom this Chair is occupied will address his hearers to no useful purpose unless they shall possess some accurate knowledge of those events to which he will have occasion to refer. Thus, it will be my endeavor to explain the relation which some of the greater occurrences in the civilized world bear to each other and to the permanent springs of human action. But to those who may be ignorant of those occurrences, every such explanation must be merely empirical. The philosophy of History must be no better than so much unprofitable dogmatism to him who does not know what are the facts of history. Truth will never exert her vital and prolific energy except in minds which have accumulated, digested, and arranged the premises from which truth is to be inferred.

But, though general principles, whether political, social, or

economical, will be dormant and barren in him who is unacquainted with the premises from which they are deduced, yet an exact knowledge of those premises will often be salient as a spring of truth, and germinant as a seed of truth, in him to whom those principles have never been formally propounded. Just as an extensive intercourse with mankind will teach us more of the offices of daily life than we can learn from the most assiduous of our solitary meditations, so we may often gather from naked historical narratives more and deeper lessons of wisdom than we can derive from any abstracted historical philosophy. This is especially true of such narratives as render us the spectators and associates of those who in former times took a conspicuous part in the great dramatic action of the civilized world. The reader of Froissart or of Philip de Comines is introduced into a society, every member and every vicissitude of which tacitly inculcates some affecting or some weighty admonition; and the least acute observer, when placed in a scene so glowing with form and color, and so quickened by ceaseless movement and vitality, becomes to a great extent his own teacher. With no monitor instructing us how to draw inferences from such books, we draw them almost unconsciously for ourselves, and therefore easily apprehend, and cherish, and retain them.

The candidates for the honorary distinctions which are henceforth to reward proficiency in historical learning among us, will have another and more obvious, if not a more weighty, reason for studying the occurrences which connect the various epochs of history with each other; for all public examinations must, as far as possible, point at what is most absolute, definite, and certain in our knowledge. An examination in history should therefore (as I conceive) relate far more to such facts (and there are many such) as admit of no reasonable doubt, than to any philosophical theories, which, however just or profound, can hardly be exempt from some infusion of error.

What, then, are those series of facts, or what those passages of history, of which it will be necessary that, for the present, such candidates should possess themselves? Assuredly not the whole of the various sequences of political events which have occurred in all of the nations of the civilized world since the subversion of the Roman empire—not (that is) the entire

compass of Modern History. An undertaking of such magnitude would require of those who should embark in it the abandonment of those classical and scientific pursuits to which (as I rejoice to perceive) the Senate has reserved their ancient and rightful supremacy among us.

But, though compelled to decline so vast and so ambitious an enterprise, may we not direct the student, first, to some synopsis of the whole range of the history of modern times, and then to some abbreviated course of reading, which shall enable him to verify and to appreciate it for himself? Many writers in France, in Germany, and in England have taken such a survey of the state and progress of Christendom during the last few centuries. Such, indeed (though incidentally and indirectly), was one of the tasks which Mr. Smythe proposed to himself, and partly executed. Why not follow so eminent and so successful an example?

The answer is, that such historical outlines were drawn by Mr. Smythe, and by others, for purposes essentially different from those which I am bound to keep in view. Their design was either to prepare the future students of ancient chronicles and records for the journey awaiting them, or to enable those who had actually performed that journey to methodize, to consolidate, and to revive the knowledge acquired in the progress of it. My design is to conduct and accompany my hearers through as large a part as we may be able to traverse of that laborious pilgrimage. If, without submitting ourselves to the fatigues and privations of the way, we should be satisfied to vault from one eminence to another, overleaping all that is wearisome in the intermediate distances, we should at best acquire but a slight and transient knowledge of the region over which we had passed, even though our flight across it had been upborne by the wit and sagacity of Voltaire, or by the far deeper and more comprehensive wisdom of Bossuet.

Renouncing, therefore, both the hope of grasping the whole of Modern History in its details, and the scheme of reducing it into the form of a compendious summary, it remains that we select, as the subject of our inquiries, the annals of some one of the states which collectively compose the European or Christian commonwealth. The state best adapted for our purpose will be that which has maintained the most intimate and

influential relations with the other members of that great fraternity. If there be any people whose history may fitly be compared to a main channel to which the histories of all other nations are tributary, or which resembles a range of highlands from which extensive and commanding views of all the adjacent territories can be obtained, that narrative, at once so central and so eminent, will not only develop a connected series of events composing the corporate life or existence of one great people, but will unite and hold together much of what we are most interested to know of the national life of the other states of the civilized world. In studying such a national story, we shall neither, on the one hand, be bewildered amid the intricacies and the multitude of incoherent incidents, nor, on the other hand, be hedged up within such narrow fences as to be excluded from an occasional survey of the simultaneous progress of all the European sovereignties, from their original barbarism to their actual civilization.

There are natural feelings or prejudices which would predispose us to regard our own land as forming such a centre of the political system to which it belongs. I believe, however, that the more deliberate judgment of us all will induce us rather to assign that distinction to France; for, among the temporal powers of the Western world, monarchical France enjoyed the longest, if not the most abundant, possession of whatever constitutes national greatness; such as unity and continuity of government, military power, loyalty and love of country, intellectual eminence, and skill in those social arts by which life is humanized and softened. In industry, and wealth, and commerce, in the great science of ruling man, in the love and the right use of freedom, and especially of spiritual freedom, England, indeed, has neither a superior nor a rival. In Northern Italy, it is true, art and science were approaching their meridian splendor, while France was yet scarcely emerging from mental darkness. The Germanic body, it may be admitted, was already holding in check the papal despotism and preparing the way for the Reformation, and assuming its office of conservator of the national independence in Europe, before France had contributed any thing to the general interests of mankind, or had learned to understand or to prosecute her own. Yet, amid disasters so fearful and so protracted as no other

people have endured in modern times, the French have, during the last six centuries, from causes to be hereafter noticed, been the arbiters of peace and war in Europe; have borne to the other European states relations more intimate and more multiplied than have been maintained by any other power with its neighbors; have diffused their manners, their language, their literature, and their ideas even among the most zealous antagonists of their power; and have irresistibly attracted the gaze, and not seldom the reluctant gaze, of all other people toward their policy, their institutions, and their wonderful succession of actors on the stage of public life among them—of actors whom we occasionally love and not seldom abhor—whom we sometimes regard with admiration, but more often with amazement—whose biographies compose the greater part of the history of their nation—who have left no heights of virtue or of wisdom unscaled, no depths of guilt or folly unfathomed, and who exhibit in the strongest relief every conceivable variety of human character—unless, indeed, it be that they are unable to be dull. On the history of this great people I therefore propose to enter.

The eventful scene of which, during the last six thousand years, this world has been the theatre, when interpreted by the revelation which has been made to man of the divine counsels, may be viewed as a drama of which retribution is the law, opinion the chief agent, and the improvement and ultimate happiness of our race the appointed, though remote catastrophe. And, to pursue the image one step farther, the annals of each separate state may be considered as an under-plot, harmonizing with the general action, and conducing to its more complete development. With the progress of time, the power of opinion has continually increased, until in these latter days it has acted with a force, a consistency, and a perseverance altogether unknown in the earlier ages of the world. From our common Christianity, from the simultaneous condensation and diffusion of the ecclesiastical authority, from the art of printing, from the new facilities of intercourse between distant places, from the growth of great cities, of commerce, and of wealth, and from a wider intercommunity of laws and of legal customs, have at length resulted a free interchange of thought, and a general concurrence of thought, to which mankind never

before attained, and a consequent union among the chief members of the great human family to which mankind never before aspired. To trace out the progress of public opinion in molding the character and the condition of the nations is the highest office of History, and especially of Modern History. To indicate some of the stages of that progress in France is the arduous task which I have ventured to propose to myself. How imperfectly it must be executed, within the contracted limits of the time assigned to me, it would be superfluous to explain.

The history of the French people divides itself into three principal eras. The first embraces the long and tardy passage from the Roman despotism to the establishment of the absolute monarchy under Charles VIII. and his immediate successors. The second, commencing with the accession of that sovereign, and terminating with the age of Louis XIV., includes the period of the greatness and glories of that monarchy. The third, comprising the decline and fall of it, may be said to commence with the accession of Louis XV., and to be consummated at the French Revolution of 1789. During the present term I shall confine myself to the two earliest of those eras.

For your assistance in prosecuting these inquiries, I could much wish to indicate to you some history of France, in our own language, which rises above mediocrity; or, indeed, to indicate any which does not fall below it. But I know of no such book. Even the great French historians of their native land, who flourished before our own times, are to be read cautiously and with much distrust, for they are arraigned as ignorant, as faithless, or as narrow-minded by the most eminent of those writers in that country, who have, of late years, imparted to history a character so nearly approaching to that of the more exact moral sciences.

The earliest of those who gave to the world a complete history of France is Mezerai. His work was published exactly two hundred years ago. He makes no secret of his ignorance of the original sources of historical information, but avows himself to be a compiler from the compilations of others. He is to be studied rather as a commentator than as an historian, and is more to be admired for the courage with which he as-

sumed and exercised in the reign of Louis XIV. a censorship on the former rulers of France, than for any accurate knowledge or profound appreciation of the course of events which he has related.

After an interval of sixty years, Father Daniel, a Jesuit, undertook to penetrate into those deeper and more remote springs of knowledge which Mezerai had neglected, and produced a work of which the earlier part is of eminent value, and far superior to the rest. His merits as an antiquarian are universally acknowledged. He is entitled to the still higher praise of being among the earliest masters in modern times of what may be called the art of historical painting. But the more closely he approached his own age, the more both his knowledge and his impartiality declined. Having shown, in the commencement of his work, how history ought to be written, he showed, in the latter stages of it, how much the prejudices of a party and a profession may disqualify any one from being a judge of the conduct and the motives of the men of other days.

At the distance of forty years, Father Daniel was succeeded by the Abbé Velly, whose history of France was continued by Villaret, and afterward by Garnier. This series, and especially the first part of it, once enjoyed a very high popularity, which it has still partly retained, although Velly and Villaret have gradually fallen in the estimation of the best judges. Velly is charged by them with great ignorance of his subject and with reckless plagiarisms. The fascination which he once exercised is akin to that which has obtained a permanent place in literature for Pope's translation of the "Iliad." He excelled in those artifices of style by which the thoughts, the characters, and the imagery of remote times are embellished with the refinement and the graces of the age to which the writer belongs. His continuator Villaret, on the other hand, was infected by an unfortunate taste for sentimental and declamatory writing; a habit in which he again was imitated by his follower Garnier, who added to this misplaced rhetoric the most wearisome prolixity in insignificant details.

In the commencement of the present century, M. Anquetil published what is, in effect, little more than an abridgment—a

very useful abridgment indeed—of the histories of Daniel, Velly, Villaret, and Garnier.

M. de Sismondi followed. His profound acquaintance with all the original authorities; his almost boundless learning; the laborious fidelity with which he has conducted his inquiries and exhibited the results of them; and the occasional, though infrequent lights which his philosophy has enabled him to cast over the narrative in which he is engaged, elevate him far above all the French historians by whom he was preceded. It must be confessed, however, that his work is heavy and wearisome; that his merits are rather those of an annalist than an historian; that he is oppressed with the multitude and extent of his own materials, and is defective in the great arts of subordinating the accessory to the principal incidents of his narrative, and of grouping characters and events into separate and definite masses. M. de Sismondi is, nevertheless, the writer to whom those who may accompany me in my proposed inquiries should chiefly address themselves. There is, indeed, at present, in the course of publication, a new history of France, by M. Henri Martin, which, however, is still incomplete, and with which I am but very slightly acquainted. A similar and much shorter work has been published by M. Michelet, of whom, in this place, I am unwilling to say any thing, because I am unable to characterize his writings except in terms which might seem to fail in the respect due to a living author who has long enjoyed much popularity, and to whom no one will deny the praise of eloquence and of learning.

In thus suggesting M. de Sismondi's history to my hearers as a text-book, I am bound reluctantly to add, that his Republican principles render him the stern, and not seldom the unjust, accuser of almost all those who ever administered the government of Monarchical France. His theological opinions, whatever they may be (for they are studiously kept out of sight), have made him an almost equally severe censor of all those to whom the Church has delegated the exercise not only of her usurped authority, but of her legitimate powers. M. de Sismondi's liberality is not seldom too active for his charity.

Every one is probably aware that, in the unwrought materials of her national history, the literature of France is rich beyond the competition of any other country. The researches

of the Benedictines, the memoirs of the French Academy, with the various provincial histories, have left no part of the antiquities unexplored; while her chroniclers, such as Joinville and Froissart, and her writers of memoirs, such as Philip de Comines and Sully, are at once the inventors and almost the exclusive cultivators of a style of which it is scarcely possible to say whether it is more instructive or delightful.

But I am aware that, to those who are engaged in our regular course of academical studies, it is impossible to pursue an extensive course of reading in this or in any other department of modern history. For my immediate purpose, therefore, I content myself with referring you to a series of books, which, though not of very formidable extent, may collectively afford a sufficient survey of the history of France during the period to be embraced in the lectures which I propose to deliver during the present academical term. They are, 1st, Sismondi's History till the end of the reign of Louis XIV.; 2d, the Abrégé Chronologique of the President Henault to the same period; 3d, that part of Malte Brun, or of Arrowsmith's Abridgment of Malte Brun, which relates to the geography of France; 4th, the first volume of Robertson's History of Charles V.; 5th, that part of Mr. Hallam's History of the Middle Ages which relates to France; 6th, M. Guizot's Lectures on the Progress of Civilization in that country; 7th, the Memoirs of Villehardouin, Joinville, Froissart, and Philip de Comines; 8th, Guicciardini; 9th, the first book of the History of the Council of Trent, by Paoli Sarpi; 10th, Davila; 11th, the Economies Royales of Sully; 12th, the Life of Richelieu, by M. Jay; 13th, M. Bazin's History of France under Louis XIII., and under the Ministry of Mazarin; 14th, St. Aulaire's History of the Fronde; 15th, the Memoirs of De Retz and of Mde. de Motteville; 16th Voltaire's Siècle de Louis XIV.; and, lastly, the Memoirs of Dangeau and of St. Simon, during the reign of that monarch.

Some attention must also be bestowed on the physical geography of France as connected with her political and social history. The limits which in our own days she has been accustomed to claim as having been assigned to her by the hand of Nature, were actually enjoyed by Transalpine Gaul at the time of the invasion of Cæsar, and, to a great extent, even by modern France as lately as the close of the reign of Charles VIII.

The Mediterranean, the Pyrenees, the Ocean, and the Rhine, from its mouths till it reaches the Alps, or their secondary chains, the Jura and the Vosges, circumscribe a territory the whole of which was once the inheritance of the Gallic race. The five great rivers by which it is watered, with their respective tributaries, constitute one great connected system of internal navigation. The high lands from which they flow, including all the country between the Alps and the lower slopes of the Vosges and the Cevennes, with the table-land of Auvergne, have ever been the fastnesses of national independence. The low lands, extending from these more elevated regions to the ocean, have been the battle-fields of the successive invaders and conquerors of Gaul.

With but few exceptions, the historians of France assume and suppose the existence of the French monarchy as a distinct state, and of the French people as a distinct nation, under each of the dynasties which were established successively in the person of Clovis, of Charlemagne, and of Hugues Capet. This misuse of words has induced much substantial error. The Frankish or Franco-Gallic empire had never really embraced more of Gaul than lies between the Rhine and the Loire, until, by the cession of the Emperor Justinian, Provence was added to it. To the Bretons the Franks were known, not as fellow-subjects, but as allies. By the people of Aquitaine they were regarded only as invaders and as enemies. It was not till the dissolution of the Frankish empire, and the consequent growth of the Feudal Confederation, that even the basis can be said to have been laid of the French monarchy, properly so called. It was not till nearly two centuries had elapsed after the establishment of feudalism, that the various states of which that monarchy was at last composed, were fused into one great political body. The history of France, and even the separate existence of France, begins, therefore, not with the first dynasty, but with the third; not with the conquests of Clovis, but with the election of Hugues Capet.

It might seem to follow that the inquiries into which we are about to enter should also commence with that election; and that inference might perhaps be just if my object were to investigate the incidents, political and military, which distinguished the reigns of the Capetian monarchs. But as I propose

to consider chiefly, if not exclusively, the formation and growth of the civil government, and of the national institutions of the French people, it will be necessary to advert to the state of Gaul both at the dissolution of the Roman empire and during the existence of the empire of the Franks, before we attempt to study the progress of France under the third and latest dynasty; for, unless our retrospect be carried back to the fountains, we shall in vain attempt to trace the current of the constitutional history of that kingdom. I can not, indeed, promise much entertainment from such a retrospect. Whoever engages in it must prepare himself for much which, if not barren, may at least prove wearisome and uninteresting. Yet the general problems which he will have to consider are not very numerous. They may all be resolved into the five following inquiries. *First*, What were the nature and what the causes of those changes, social and political, which conducted Gaul from the state of a Roman province to that of a feudal sovereignty of princes confederate with each other, but all subject to one common head or suzerain? *Secondly*, What was the real character of that feudal sovereignty, and what its influence on the future condition of France? *Thirdly*, What were the causes, social and political, which conducted France from the state of a feudal confederation to that of an absolute monarchy? *Fourthly*, What was the real character of that monarchy, and what its influence on the future condition of France? And, *fifthly*, What were the causes of its decline and of its fall at the French Revolution of 1789?

Lightly as the hours at my command here will enable me, at any time, to touch on all or any of these topics, I shall not, in the present academical term, be able to reach the fifth and last of them; and, for reasons to be hereafter explained, I shall pass over in silence the second, which respects the character and influence of the feudal system. To render my plan regarding the rest as intelligible as may be to my hearers, I proceed to state what are the more specific questions which I propose to consider under each of the three other general heads to what I have already referred.

1. I design then, first, very briefly to inquire, What were the internal causes which detached the Romano-Gallic province from the empire of Rome, and transferred it to the dominion of the Franks?

2. I shall next attempt to explain why the first Frankish dynasty (that of the Merovingians) was superseded by the dynasty of Pepin in his own person, and in the persons of his Carlovingian descendants.

3. The character and influence of Charlemagne will then engage our attention.

4. We shall have to consider why, in the persons of his descendants, the Carlovingian dominion gave place to the Feudal Confederation under the suzerainté of Hugues Capet.

5. Next in order will be the inquiry into the creation or development of the municipalities of France as one of the means of subverting the Feudal, and of elevating the Monarchical power.

6. We shall endeavor to trace the influence of the Crusades in producing the same results.

7. The manner in which those results were promoted by the Crusade against the Albigenses—that is, by the invasions of Southern by Northern France—will then be considered.

8. Our next problem will be, In what manner the judicial system and institutions of France promoted the Monarchical at the expense of the Feudal dominion.

9. We shall then consider why the authority of the privileged orders of France, sacerdotal and noble, did not avert the growth of the absolute dominion of the French monarchs.

10. I shall attempt to show why the growth of that Monarchical despotism was not arrested by the States-General of France.

11. It will afterward be necessary to inquire why it was not arrested by that power of the purse which belonged, at least in theory, to the Seignorial Courts and to the States-General.

12. I propose to investigate the reasons why the Reformation did not yield in France its appropriate fruits of civil liberty.

13. In immediate connection with that subject, I shall (as far as my time will allow) enter on the corresponding inquiry, Why literature, the mother of freedom in other lands, failed to give birth to it in Monarchical France.

14. Passing to the consideration of the real character and influence of that monarchy, I hope to explain the transition

from the paternal rule of Henry IV. to the stern despotism of Richelieu.

15. The struggle of the Fronde for constitutional freedom and the administration of Mazarin will then occupy our attention.

16. We shall afterward pass to a review of the government of France under Colbert; and,

Finally, my lectures for the present term will close with an attempt to estimate the administration of that government by Louis XIV. in person.

Recurring to the preceding arrangement, I now proceed, though very briefly, to inquire, What were the internal causes which detached the Romano-Gallic province from the empire of Rome, and transferred it to the dominion of the Franks?

Hereditary international hatred has never exhibited itself with more bitterness or greater deformity than between the Romans and the Gauls. The "proprium atque insitum in Romanos odium," which Livy ascribes to the Gallic people, was repaid by an enmity not less inveterate. During very nearly five centuries, the two nations waged against each other an internecine warfare; and, from the time of Brennus to the days of Hannibal, the advantage was, almost invariably, with those whom Rome characterized as barbarians. After their victory at Allia, their entrance into the city, and their siege of the capital, they devastated the Latian territory throughout seventeen successive years. At the head of the great Italian confederacy, their descendants encountered consular armies at Sentinum, at Aretinum, at the Lake Vadimon, at Fesulæ, and at Telamone. In the first Punic war they undertook the defense of the Carthaginian cities in Sicily. In the second, they composed a large majority of the force with which Hannibal triumphed at Placentia, Trebia, Thrasymene, and Cannæ. They followed him to Africa, and partook of his defeat at Zama. And then came the day of fearful retribution. Expelled from Italy, invaded in Gaul, compelled to witness the settlement among them of the Roman colony of Narbonne, and to cede to Rome the province afterward known as Gallia Narbonensis, the Gauls had also to undergo, in their conflict with Marius, that defeat which half exterminated their Kimric or

Belgic tribes, and for which Rome hailed the conqueror as her third founder, and poured out libations to him as to a god. And then appeared, to the north of the Alps, the greatest of the warriors, and perhaps the greatest of the historians, whom Rome has produced; whose genius is, however, insufficient to rescue from abhorrence the carnage which he both accomplished and recorded. The best apology of Cæsar is, that he was the avenger of the wrongs and humiliations of centuries. The best eulogy on the Gauls is, that even he, detailing with a hostile pen his relentless warfare against them, has drawn a picture with which the annals of Rome itself have nothing to compare as an exhibition of national heroism. Distracted as they were by dissensions between the different races, the different cities, and the different parties in the same cities of their common country, they balanced during nine years the arms of the wealthiest, the most powerful, and the most warlike of the nations of the earth, conducted by the greatest of her commanders, and possessing the advantage of a secure basis for their military operations in the Roman colonies on the shores of the Mediterranean. Nothing which either virtue or courage, craft or desperation could suggest, was left unattempted for their defense. The Duguesclins, the Colignis, and the Condés of a far distant age might pass for antitypes of Ambiorix, Dumnorix, and Vercingetorix, and of the other Gaulish chieftains whom the pen of Cæsar has delineated. Defeated, but not subdued, they prolonged their struggle for independence during more than a century after his death; nor was it till the reign of Vespasian that, finally assuming the character of a Roman province, Gaul adopted the institutions, imitated the manners, and acquired the language of Rome.

Two centuries of comparative tranquillity succeeded. If the eye be directed merely to the surface of society during that period, it may be depicted in the most brilliant colors. From the Mediterranean to the Scheldt might be numbered one hundred and fifteen cities, rivaling those of Italy in wealth, in population, and in architecture. Of these, Trêves and Arles had the character of capitals. Aix-la-Chapelle, Cologne, and Strasbourg frequently became imperial residences. In each of these cities was a municipal government, of which Rome

herself supplied the model. All the arts which minister to the luxuries of the rich, flourished in them. The nobler pursuits of learning were widely cultivated in schools established there by Augustus, and enlarged by Claudius. From Pliny and Juvenal we learn how large was the demand for books at Lyons, and how great the eminence of the rhetoricians of that city. Terentius Varro and Trogus Pompeius among historians, Cornelius Gallus and Petronius among poets, were either natives or inhabitants of Gaul. In the letters of Pliny may be read an account of the purchase made by one Gallic city of a statue of Mercury, on which a Greek sculptor had bestowed ten years' labor, and for which he declares that the incredible sum of forty millions of sesterces, or about £320,000 sterling, was paid. In the eleventh book of the Annals of Tacitus may also be seen an account of the elevation and fall of Valerius, a native Gaul, whose story illustrates the facility with which, in those times, the highest dignities of the empire could be attained by the wealthy and powerful natives of that once abhorred and dreaded race.

But if we penetrate below the brilliant surface of civic society, we may, with equal truth, employ the darkest colors in depicting the state of Gaul between her final submission to Rome and her subjugation by the Burgundians, the Visigoths, and the Franks. The changes which the habits, and, with them, the opinions of the people, underwent in that interval, may be considered as relating, first, to their nationality; secondly, to their civic institutions; thirdly, to the public revenue; fourthly, to their social condition; fifthly, to their language; and, lastly, to their religion.

First, then, when invaded by Cæsar, and when finally subjugated under Civilis, Gaul was inhabited by three distinct races of people, among each of whom the sentiment of national unity manifested itself in public spirit, with all its attendant virtues, and, in antipathy to their neighbors, with all its attendant crimes. But when Gaul had become a mere Roman province, that sentiment became rapidly, and altogether, extinct. Under the successors of Vespasian, the conquered tribes no longer thought of themselves as belonging to Aquitaine, or to Belgic or to Celtic Gaul. But neither had they learned to consider themselves as citizens of the Western em-

pire. They heard of the rise and fall of new Cæsars, of imperial victories and defeats, of invasions of Italy, and of mutinies among the Prætorian Guards, with the kind of indifference with which we may suppose the people of the Carnatic to have received the intelligence of our recent wars in the Punjaub, or of the succession of governors-general at Calcutta.

It appears, indeed, from a fragment of Livy, that Augustus convoked a general assembly of the Gauls at Narbonne; and, at the distance of a hundred years, a similar assembly seems to have been held at Rheims, to arrange their final submission to his successors. But no subsequent mention occurs of any such national convention until the fifth century, when Honorius made an attempt to revive their ancient diets as an instrument of defense against the Barbaric invaders. The living spirit had then, however, passed away, and the dead form was evoked in vain. The sentiment of nationality was no more. The love of country was extinct, and with it had departed the best security for virtue, for courage, for freedom, for individual safety, and for social happiness.

But, secondly, the civic institutions of Gaul, even in her provincial state, might seem to have been well adapted to nourish and to shelter among her people this national spirit; for, in appearance at least, her cities were governed by the same polity to which Rome herself, and the great body of her allies, had been indebted for their greatness. In the days of the republic, Marseilles and the adjacent Greek settlements, Narbonne and the other Roman colonies, had become rich and powerful, and had enjoyed their full share in the dominion of Rome. But in the second and three following centuries, the cities of the Gallic province retained nothing of free municipal government but the hollow and deceptive semblance. Their magistracies had ceased to be electoral. All civic offices were divided among a small local aristocracy, who were called to the discharge of them in rotation or by lot. The great mass of the inhabitants of the cities was composed of emancipated slaves, or of proprietors or cultivators of land who had sought within their walls a temporary refuge from oppression. Imperial rescripts continually interfered with the trades and common business of life, with the franchises of the citizens, and especially with the franchise of local legislation. But the

decay of the municipal greatness of Gaul was induced chiefly by the edicts which imposed on every municipality that fiscal office, to which, in modern France, was given the title of Farmer-General. The Curiales of each city were made responsible to the imperial treasury for the annual revenue, not only of the city itself, but of the whole circumjacent territory. It was their duty to remit these funds to the Prætorian Prefect at Treves, or to his vicar at Arles. They were bound to levy and equip the proportion, for which their city was responsible, of the recruits annually raised for the imperial army. They were required to provide for the conveyance and maintenance of all persons traveling at the public expense through the districts under their superintendence. To acquit themselves of these various obligations, the Curiales had to apportion the consequent expenditure between the inhabitants both of their city and of the adjacent district. They were thus placed in a position at once the most invidious and the most dangerous. They had to answer the insatiable demands of the imperial treasury, and to encounter the discontents, the resistance, and the evasions of the contributors. To participate in a municipal government thus came to be regarded, not as an honorable distinction, but as an unwelcome responsibility. In the Justinian code may be found many rescripts overruling claims for exemption from this service, although in some of those cases the grounds alleged by the claimants would seem to have been irresistibly strong.

Thirdly, the change which the Roman conquest effected in the financial or fiscal system of Gaul was even yet more fatal to the happiness and character of the provincials. Laws, till then without example, were promulgated by the emperors for the supply of the wants of the Roman treasury. No national revenue, in the proper sense of the word, had ever been levied in Gaul while her people were still independent. But the conquerors crushed the conquered people beneath a burden of direct and improvident taxation, from which they had no longer the energy to escape by resistance and revolt. A land tax, rising to the almost incredible amount of one third of the net produce of the land, rendered agriculture the most unprofitable, as, for other reasons, it was in those times among the most hazardous, of all the employments of capital. To en-

hance both the rigor and the absurdity of this impost, there was a new assessment, or, as it was called, indiction, every fifteenth year, when the contribution to be made from every farm was determined according to the increased or diminished productiveness of it. Nor was the cultivator entirely secure that, even during that term, his liability to the fisc might not be increased; for on any urgent occasion the Prætorian Prefect might enhance it by what was denominated a superindiction.

By confiscations, or by the right of succession to land-owners who had died childless and intestate, the emperor became possessed of an immense territory in every part of Gaul. Such estates in such hands were, of course, unproductive. As the imperial proprietor was no longer able to collect the land tax from these districts, so he found himself also unable to derive any rent from the greater part of them. Under the pressure of the indiction, farmers could not be found to till the soil. Many tracts of it were therefore abandoned, and many were assigned to discharged soldiers, to be held on a species of military tenure. Such was, at length, the depreciation of this property, that, as we learn from still extant rescripts, an indefeasible title to public lands in the province was created in favor of any one who should occupy and cultivate them during the period of only two years. At first sight, this unproductiveness of the public lands might appear rather as a waste of the public resources, than as a direct fiscal oppression. But the fact is otherwise. To promote the culture of these unprofitable imperial domains were invented *corvées;* that is, the obligation of personal services in conveying the produce of such lands to the public magazines, and in repairing the roads along which it was to be drawn.

To the land tax and the corvées, the rapacious and ignorant financiers of Rome added a poll tax, payable by every female from the age of twelve, and by every male from the age of fourteen to the age, in either case, of sixty-five. The amount, however, seems to have differed really, though not avowedly, with the circumstances of the contributors. The maximum per head was about eighty shillings of our money; but it was customary, because it was inevitable, to allow a considerable number of poor persons to pass as a single person, and to make up among them the required payment.

The pressure of these accumulated burdens was continually augmenting. As one tract of land after another was thrown out of culture, the indiction on the rest became more and more oppressive. As increasing poverty diminished the number of those who could contribute the full amount of their poll tax, the demands on the less indigent rose in exact proportion to the deficiency. The besom of fiscal oppression swept over the land as if the locust or the tempest had passed across it. The exactions of the tax-gatherer, beginning by the discouragement of industry, were followed by dejection, by distress, by disease, and by depopulation.

And yet, fourthly, the Roman conquest produced results still more disastrous than these on the social condition of the Gallic people.

While Gaul was yet independent, society had been divided into three classes, consisting first of the free warriors and proprietors; secondly, of their clients or vassals (*ambacti*); and, thirdly, of their slaves. A Highland chieftain of the seventeenth century, with his clansmen, may represent to us the relation which subsisted between the two first of those classes. A body of English serfs of the twelfth century, *adscripti glebæ*, may stand as antitypes of the third; for the Gallic slave was sometimes the fellow-workman and sometimes the partner of his owner. In a country where manual labor was abundant, and where the owner and the slave toiled together in the same fields, partook of the same repasts, and slept beneath the same roof, the bitterness of slavery could be scarcely known.

But when Gaul was merged in the body of the Empire, an entire social revolution followed. While war had greatly diminished the number of manual laborers, a change of manners had greatly enlarged the demand for such labor. The old Gallic chieftain began to aspire to the dignities, the indulgences, and the immunities of a patrician, or, rather, of a noble of Rome. Adopting the ideas, and with them the habits, of the Italians, he dispossessed and destroyed that class whom we call the yeomanry—the very heart of the Gallic people, the true nation itself. He ejected his old tenantry or clansmen from their ancient holdings, to constitute from the aggregation of them one of those vast estates or latifundia which were cultivated entirely by slaves, for the behoof of the proprietor alone,

and to which Pliny and Columella joined in ascribing the ruin of Italy. From that vast territory he drew the means of boundless self-indulgence, but left to the husbandmen nothing beyond the most scanty allowance of the bare necessaries of human existence. When they were hurried by fatigue, by want, and by sickness to premature graves, he recruited their number from the Roman slave-markets. During his habitual residence at Rome or Baiæ, at Narbonne or Toulouse, he was represented at his domain by the Villicus, a middle-man, who had also his fortune to wring out of the unrequited toils of these miserable bondsmen. Whoever is informed of the state of a West Indian plantation before the abolition of slavery, and of the relations in which the absent owner and resident manager then stood to each other and to the Negroes, has before him a lively image of an estate in Provincial Gaul in the second and third centuries of the Christian era. Whoever knows what was the effect of that system on the waste of human life, may estimate the depopulating effects of slavery during two hundred successive years in Provincial Gaul.

Fifthly, the disappearance of the Celtic language in Gaul during the era of its provincial dependency on Rome, affords perhaps the most impressive of all illustrations of the sufferings of the people in that period. From the Rhine to the Pyrenees, a single tongue, though molded into several different and very dissimilar dialects, was spoken in the time of Julius. It was confined to Armorica in the time of Clovis. In the intervening centuries, it had been entirely laid aside throughout the rest of Gaul. By the powerful and wealthy proprietor it was regarded with contempt, as a remnant and a badge of ancient barbarism. With his fashionable guests at his villa he conversed in Latin, with grammarians and rhetoricians at the capital in Greek, with his bailiffs perhaps in Celtic. Gradually, though more slowly, his slaves also abandoned the use of that vulgar idiom. They invented a kind of patois in which to make themselves intelligible not only to their superiors, but to their fellow-bondsmen, who had been brought together from many distant lands. So universal was the change, that they even lost their national appellation; and at the time of the Frankish invasion and conquests, were universally spoken of, not as Gauls, but as Romans. From this singular compromise

between the copious speech of Cicero and the rude discourse of Caractacus, at length emerged that language which excels all others, now vernacular among men, in the precision and delicacy with which it discriminates all the more subtle forms of thought, and all the fluctuating shades of emotion. French bears to Latin the same relation in which English stands to Anglo-Saxon; but there is this most significant distinction, that in France the language of the superior, in England the language of the subordinate, race forms the basis of the modern nomenclature.

But, sixthly. While these changes were in progress, there was silently at work another, a more mighty and a more enduring revolution. I refer to the introduction of Christianity. This is a subject on which it is not possible that I should be silent; but neither is it possible that I should handle it without the risk of inducing some misapprehension. It will be my careful endeavor to obviate that danger. In referring to the diffusion of the Gospel in Gaul, I shall view it only as one of those great events, or rather as one of those chains of events, by the collation and interweaving of which the political or social history of mankind is constructed. I shall pass by in total silence the controversies, theological or ecclesiastical, with which such inquiries are so often allied. Those so much agitated questions respecting the government, the worship, and the doctrines of the ancient Church, are equally beyond my province and my competency.

The earliest of the great conquests of Christianity were effected in the East. In the Western empire it triumphed more tardily. Notwithstanding the zealous efforts of so many French antiquarians to give a more remote date to the establishment of the principal seats of episcopacy in France, it is difficult to find any authentic proof of their existence before the middle of the third century. At that era were founded the churches of Tours, Clermont, Paris, Toulouse, Arles, and many others. None of the Gallic ecclesiastical writers, whose works or whose names are still extant, flourished before that time. But in the next or fourth age, Gaul became, in appearance at least, exclusively Christian. An hereditary, though secret, paganism lingered indeed among the wealthier and more powerful of the provincials; nor was the religion of the Druids without its ad-

herents among the poorer classes of society, especially in Armorica. But neither the courtiers nor the meaner subjects of Constantine and his successors aspired to the crown of martyrdom in defense of their ancient superstitions, or hazarded any open avowal of them.

Yet the spirit of martyrdom, if it had existed, would not have died away from the want of active exercise. The offering of sacrifices to idols was prohibited by one Christian emperor, under the penalty of death. Armed bands under the immediate direction of the prelates of Gaul cast down the shrines of the false gods, both of the Roman and the Celtic mythology. Their worshipers were interdicted from all lucrative pursuits, and excluded from all honorable stations and employments. In the times in which our lot has fallen, it is easy to condemn these excesses, and to perceive how blind was the zeal in which they originated; for persecution has no longer any apologists among us; nor is any one at this day ignorant of the arguments which have discredited and rebuked it. But even now, how difficult, if not impossible, is it to determine with absolute precision the limits and extent of the duty of toleration? Like all our other duties, indeed, it rejects the bondage of any peremptory definition; and the indistinctness of our own thoughts on the subject in these enlightened days may perhaps suggest good reasons why we should regard with indulgence the errors of the rulers of the Church at that remote period.

But suppose them to have been as unpardonably erroneous as they are esteemed by their modern French censors, still it is simply absurd to compare them (as those censors have done) to the sanguinary missionaries of the creed of Mohammed. To ascribe to the sword the progress of the Christian faith in Gaul, is not only to substitute conjecture for proof, but is to depend on a conjecture utterly gratuitous and improbable. Heathenism needed no such keen weapon for its overthrow. It had cast no deep roots in the conscience, the affections, or the intellect of mankind. It fell in Gaul as it has fallen elsewhere. It expired among the more zealous few, beneath the genial influences of the Gospel. It expired among the apathetic multitude, beneath the worldly influence of fashion, of example, of great names, and of the shiftings of public opinion. Chris-

tianity was first the consolation of the slave. It at length became the boast of the emperor. Thenceforward it advanced, conquering and to conquer, with a power which the sword could not have materially aided, and could not have at all arrested.

It is, however, asserted that the Church extended her dominion in Gaul by other arts, which, if less criminal than those of persecution, were scarcely less unhallowed. From the piety or the fears of the emperor, the clergy extorted (such is the charge) an exemption from the capitation tax which so sorely oppressed the other members of society. By the same means they are said to have obtained the edicts which authorized them to accept the testamentary donations of their wealthy penitents; and they are accused of having taught the dying and the sick that the Deity would be most effectually propitiated by transferring to his ministers the inheritances of their children. It is further imputed to them, that, advancing one step farther in this mercenary career, they procured the enactment of laws which delivered their own lands from the indictions and superindictions to which every other class of proprietors was liable. The triple immunity thus acquired from the poll tax, the corvées, and the land tax, is therefore arraigned as fraudulent, and invidious, and unjust.

To deny that in the fourth and fifth centuries the priesthood were often chargeable with cupidity, and the laity with superstition, would indeed be a hopeless task. Let it be assumed that the crafts of the one, and the follies of the other, were as extravagant as they appear in the satirical portraitures of the most bitter of their modern antagonists. Yet there are more forms of bigotry than one. There have been philosophical as well as sacerdotal bigots. The narrowness of mind to which no secular interests but those of churchmen appear of any account, is not more pitiable than the narrowness of mind which refuses to accept, or is unable to appreciate, any secular advantage accruing to society at large, if the clerical order happens to be the channel of it. If it be right to condemn the fiscal tyranny of the Roman rulers of Gaul, it can hardly be also right to condemn those sacerdotal claims, and those imperial concessions by which the range of that tyranny was narrowed. If poverty was the withering curse of the people, it

can scarcely be just to censure rigidly the only laws which promoted the accumulation of capital among them. If the general neglect of agriculture was depopulating Gaul, the clergy were not perhaps very culpable in acquiring the wealth, and with it the security, by means of which they were enabled to cultivate many large though neglected districts in that province. It is agreed that the policy of the state was deplorably short-sighted and oppressive. Why then maintain that, in counteracting it, the policy of the Church was either improvident or unjust?

The Church is next arraigned as selfish and ambitious, because it formed itself into a vast clerical corporation, living under laws and usages peculiar to itself, and not acknowledging the jurisdiction of the temporal tribunals. That the churchmen of the fourth century lived beneath a ruthless despotism, no one attempts to deny. That they opposed to it the only barrier by which the imperial tyranny could, in that age, be arrested in its course, is equally indisputable. If they had been laymen, they would have been celebrated as patriots by the very persons who, because they were priests, have denounced them as usurpers. If the bishops of the fourth century had lived under the Republic, they would have been illustrious as tribunes of the people. If the Gracchi had been contemporaries of Theodosius, their names would have taken the places which Ambrose and Martin of Tours at present hold in ecclesiastical history. A brave resistance to despotic authority has surely no less title to our sympathy, if it proceeds from the episcopal throne, than if it be made amid the tumults of the Forum.

But the association of ideas, so inveterate with some of our contemporaries in France, which regards the mitre as incapable of an alliance with the cause of civil liberty, has induced some of them to impute it to the bishops of the fourth century as an offense, that they were so commonly raised to that office by the clamorous suffrages of the people at large. How extravagant the prejudice which is thus directed against the one element of popular freedom then extant in the empire, because it ministered to the influence of the priesthood! How strange the inconsistency which, while it regrets the extinct comitia of the Republic, resents and condemns the new-born comitia of the Church!

It is impossible to ascertain, as indeed it would be superfluous to inquire, how far unworthy, or secular, or narrow motives prompted the measures to which the sacerdotal order were indebted for their wealth, their privileges, and their greatness? Doubtless such impulses actuated the great majority of their number in a greater or less degree, and more or less consciously to themselves. The clergy of those times partook of the common infirmities of our nature, and of the faults characteristic of their age. But that their evangelical labors were attended with the most beneficent results—that the Church became in the Romano-Gallic province, as in all other lands, the very salt of the earth—that her genial influence penetrated in many directions to the interior, and was diffused almost universally throughout the surface of the provincial society—all this might have seemed too trite and too obvious for any formal assertion of it, if peculiar circumstances had not tended to cast an unmerited shade over the history of that branch of the Church Universal.

As Saint Augustin in Africa, so Salvian in Gaul, denounced, in unmeasured terms, the pollutions, the cruelties, and the crimes of the Christian world, and especially of those among whom they lived. They believed and taught that the Deity had summoned the Barbarians from the North as his scourge to punish the spiritual apostasy of a guilty people. The invectives of Salvian have recently been quoted, and his gloomy colors reproduced among ourselves, by learned writers, who were pledged by the necessities of their argument to depreciate ancient Christianity, as it existed in the third and fourth centuries in Gaul. If those controversialists had used equal diligence in investigating the moral condition, not of Gaul only, but of the Western empire at large, when Christianity first triumphed there, they would probably have attributed less weight to Salvian's charges against the early Church. They would have observed that the Christian converts, portrayed on his canvas, were no other than that thoughtless multitude who followed Julian as they had followed Constantine, and as they would (if necessary) have followed Zoroaster or Budhu. The Roman empire did not lay aside her deformities, or change her real character, because a servile mob had erected the Cross amid the ruined shrines of Ceres or of Pan. When plunged

into those mephitic vapors, the lamp of the Gospel could not glow with its true and native brilliancy. Consider the exhibitions of depravity with which, in glancing over the history and the literature of imperial Rome, the eye is every where revolted. Bear in mind the narratives of Suetonius, and the delineations of Juvenal. Reflect on what we know or believe (on too conclusive evidence) of their domestic habits, as illustrated by the relics of Pompeii. Review the proscriptions of the Triumvirates, the exterminating wars of Cæsar and his successors, the slave-markets and Ergastula of Rome, her enervating luxury, the sanguinary exhibitions of the Circus, the iron bondage in which she held the dependent nations, the guilty rites with which so many of her heathen temples were polluted, and the remorseless persecutions of the Christians throughout the Empire, and then judge whether even Christianity itself could have contended, with immediate success, against such an accumulation of crime and wretchedness. It was no part of the design of the Gospel to change the conditions on which we hold our sublunary existence, or to abrogate the fundamental laws of human society. Those conditions and those laws require that the guilt and folly of ages shall be expiated by ages of calamity and distress. It is true, indeed, that as Sin converted the Garden of Eden into a desolate wilderness, so is it the ultimate destination of our holy faith to make that wilderness once more blossom as a garden. But not immediately, abruptly, or as by the working of some magical incantation. The great scheme of Providence is not superseded by the great scheme of Christianity. It is no less true now than it was true before that revelation, that the improvement of nations, and the growth of their social happiness, must be a deliberate and a tardy process, to be pursued through many a painful reverse, and through much purifying affliction. Yet the leaven which is at length to pervade and vivify the whole mass is never altogether inert, impassive, or ineffectual. It never has been so in any land; it was never really so in Provincial Gaul. When Salvian was deploring her sins and predicting her punishment, the minds of the Gallic people were doubtless really, though silently, imbibing much of the higher and the holier influences of the Gospel and of the Church among them. These it was not

given to his or to any human eye to penetrate. Yet we may rejoice to know and to acknowledge, that in Gaul the early Church was the one great antagonist of the wrongs which were then done upon the earth—that she narrowed the range of fiscal tyranny—that she mitigated the overwhelming poverty of the people—that she promoted the accumulation of capital—that she contributed to the restoration of agriculture—that she balanced and held in check the imperial despotism—that she revived within herself the remembrance and the use of the great franchise of popular election—and that the gloomy portraits which have been drawn of her internal or moral state, are the mere exaggerations of those who would render the Church responsible for the crimes with which it is her office to contend, and for the miseries which it is her high commission effectually, though gradually, to relieve.

I might add that, in the same age and country, the Church commenced her warfare against domestic and prædial slavery—a warfare of which the vicissitudes and the results embrace a field of inquiry on which it will be impossible for me to enter on the present, or, indeed, on any future occasion. I regret this inevitable omission the less, because the influence of the Church in extinguishing slavery has lately been discussed among ourselves with a copiousness and a learning which, while it makes competition needless, would also render it very formidable.

With this very brief and general sketch of the condition of the people of Gaul during the period in which, having lost their independence, they became members of a province of the empire, I close this lecture. In the next which I shall address to you, I propose to review the state of Gaul and of its inhabitants during the period in which it formed one great member of the empire of the Franks.

Sept. 17. 1852.

LECTURE II.

ON THE DECLINE AND FALL OF THE MEROVINGIAN DYNASTY.

The problem which, in my last lecture, I proposed for our consideration to-day, may be stated in the following terms: What were the causes of the transfer of the Franco-Gallic empire from the First to the Second Dynasty, from the lineage of Clovis to that of Pepin? The corresponding problem which will hereafter engage our attention is, What were the causes of the transfer of the dominion of France from the Second Dynasty to the Third, from the lineage of Pepin to that of Hugues Capet? With a view to the distinct explanation of the answer which I have to make to each of those questions, it is necessary that I should begin by reminding you, however briefly, of the chief of those occurrences which attended the growth, the decline, and the fall of the sovereignty of the Franks in Gaul.

Toward the end of the fourth century, the great body of the Gothic nation were settled in Thrace as the mercenary defenders of the empire of the East. There the Visigoths, or Western Goths, elected the terrible Alaric as their king or general, and marched under his guidance to the capture and desolation of Rome. On his death in 412, Ataulph, his successor, entered into an alliance, both domestic and political, with Honorius, who still maintained at Ravenna the faint image of the empire of the Cæsars. His sister, Placidia, became the wife of the Gothic chief, who, at her persuasion, condescended to assume the character of a Roman general, to march beneath the imperial standard into Gaul, to crush the rivals of Honorius in that province, and to accept from his hands the investiture of a Gallic kingdom, of which the Mediterranean, the Ocean, the Pyrenees, and the Loire were the boundaries. It was called the kingdom of the Visigoths, and was governed by Ataulph rather in the spirit of a Roman officer than in that of an independent sovereign. He acknowledged the authority of Honorius, and received from Ravenna edicts establishing laws, tri-

bunals, and municipal offices among his subjects, whether of Gothic or of Gallic origin.

At nearly the same time, and by means not dissimilar, another kingdom was acquired on the eastern side of the Gallic province by the Burgundians. That name is said to have been given to them by the more nomade tribes of Germany, in scorn of their effeminate taste for towns and settled habitations. If so, it may reasonably be inferred that they were less barbarous than the other Teutonic people; but they were certainly not less warlike. They had marched from their abodes on the Vistula toward the right bank of the Rhine, and were wandering there in quest of new settlements, when they crossed the river as auxiliaries of Jovinus, one of the Gallic aspirants to the purple. To him it proved a fatal alliance. The Burgundians sent his head to Ravenna as a peace-offering to Honorius, who rewarded their treachery by a grant of territories extending from the Lake of Geneva to the junction of the Rhine with the Moselle. From them the great province of Burgundy derived its name; and there they formed a monarchy which was virtually independent, though they also were content to act as the soldiers, and even as the vassals of Rome, until the latest shadow of the imperial majesty had faded away in the person of Augustulus.

In the same age, a confederation of Germanic tribes, known collectively by the generic name of Franks, had established themselves along the eastern banks of the Rhine, from its mouths to its junction with the Maine; and throughout the whole of that region of which the Rhine is the northern, and the Meuse the southern boundary. Of these tribes, the most eminent were the Salian and the Ripuarian. The kings or leaders of each of them were denominated Meer-wigs (that is, Sea Warriors), a title which they afterward transmitted to the Merovingian, or First Frankish Dynasty.

The earliest of these monarchs who belongs to authentic history is Clovis, who, toward the end of the fifth century, marched from Tournay and the Tournesis at the head of the Salian Franks, to the invasion and conquest of the Gallic province. With the aid of his confederate Frankish tribes, he subdued it all except Armorica, and the kingdoms of the Visigoths, and the Burgundians. He was himself subdued by the charms of Clotilda, a Burgundian princess, who became at

once his wife and his chief counselor. At her instance he embraced Christianity, and then plunged into a new and hazardous war with the Visigoths, in reliance on what she had taught him to regard as miraculous omens of success. Like so many other conquerors, Clovis found in religion a pretext for the crimes which religion most sternly condemns. The Visigoths were Arians, and he the single monarch of his age who adhered to the confession of Nicæa. After a great, though incomplete triumph over his heretical neighbors, he died in the year 511, and transmitted to his four sons a sovereignty extending from the Elbe to the Garonne, and embracing all the possessions of the Franks on either bank of the Rhine.

The Frankish army divided this inheritance among the sons of Clovis, though in such a manner as to give to no one of them a continuous or unbroken territory. But under this divided rule, the empire of the Franks grew rapidly, both in power and in extent. Burgundy and Thuringia were conquered; and Franconia, Saxony, Bavaria, and Suabia were compelled to become members of the Frankish confederation. At the distance of a quarter of a century from the death of Clovis, all his conquests in Gaul and Burgundy—united to Savoy, Switzerland, Belgium, and to nearly the whole of Western Germany—constituted one formidable state, which acknowledged the dominion of his sons.

When another quarter of a century had expired, the family of Clovis was extinct, except in the persons of the four sons of Clotaire, his youngest son. Again the army effected a fourfold apportionment of the Frankish empire. To each of the heirs of Clovis they assigned one of the four kingdoms of Aquitaine, Burgundy, Neustria, and Austrasia—the two last, as the words imply, lying respectively to the west and to the east of each other; the boundary common to them both consisting of an irregular and imaginary line drawn from Bar-sur-Aube to the mouths of the Scheldt. The confederate states of Germany were attached to Austrasia.

With this second partition commences the decline of the Merovingian Dynasty. A child in his sixth year having been acknowledged by the Austrasians as their king, the Germans beyond the Rhine indignantly detached themselves from the empire of the Franks; while an officer, with the title of *Ma-*

jor Domûs, or Mayor of the Palace, was appointed to govern the Austrasian kingdom during the minority of the infant sovereign. It proved a disastrous innovation and a fatal precedent.

At the commencement of the seventh century, the only surviving descendant of Clotaire was his grandson, Clotaire, the second of that name. Each of the four monarchies of Aquitaine, Burgundy, Neustria, and Austrasia, therefore, acknowledged him for their king. It was, however, a merely nominal allegiance. All real authority had passed to the mayors of the palace, and thenceforward the Merovingian sovereigns were but so many royal phantoms, enjoying the luxuries, and maintaining some of the pomp and pageantry of kings, but powerless alike in the council and in the field.

This real though disguised revolution gave birth to other changes in the Franco-Gallic government. Many of the chiefs or captains had received either local commands, or extensive grants of land, and constituted an aristocracy strong enough to negotiate, and to contend on equal terms, not only with their feeble monarchs, but also with the mayors, who really governed both the palace and the kingdom. Among these magnates, the most eminent was Pepin of Heristal. Under the modest title of Duke of Austrasia, he had become the real ruler of that kingdom, and progressively added to that dignity, and to his own extensive territories, the office of Mayor of the Palace both in Burgundy and in Neustria. When the aristocracy had thus triumphed in the person of Pepin, not only over the titular sovereign of the Franco-Gallic empire, but also over the mayors of the palace, its real sovereigns, he labored assiduously, and with good success, to confirm his power by aristocratic friendships and alliances. From year to year he summoned the nobles to meet and to deliberate under his own presidency at the Champs de Mars, the Comitia of the Franks. The influence of his wealth, his station, his abilities, and his military renown, continually increased the number and the zeal of his adherents. The offices of Duke of Austrasia and Mayor of the Palace in Neustria and Burgundy were at length acknowledged to be hereditary in his house. Thus, in every thing but the name, Pepin was king of the Frankish tribes; but the time for assuming that name was still unripe when he died, leaving his

high offices and his vast possessions to an infant and illegitimate grandson.

But he also left a son whose fame and power were destined to eclipse his own. Charles Martel (the name he bears in history) soon fought his way to the inheritance of his father; and though content, like him, to rule in the name of a nominal Merovingian king, he became the idol of the army, and the real and triumphant head of the Frankish monarchy. He compelled Suabia and Bavaria to resume their ancient union with it, and at the great battle of Poitiers in 732, he commenced that deliverance of Western Europe from the Saracenic yoke which was consummated in the wars of many succeeding years.

To Charles eventually succeeded Pepin, the second of his sons, whose historical name is Pepin-le-Bref. During nearly one hundred years the government of the Franks had been conducted under the veil of a fiction which had now become too transparent for further use. By the advice of Pope Zachary, and by the hands of Boniface, archbishop of Mentz, Childeric, the last of the Merovingians, was deposed, and his crown was solemnly placed on the head of Pepin, the last of the mayors of the Frankish palace, and the first king of the Second or Carlovingian Dynasty.

For her services to Pepin-le-Bref, the Church received an early and an ample recompense. He assigned to the clergy of his empire not only a place, but a supremacy, in the national councils. He confirmed and enlarged the temporal rights of the sacerdotal body. He bestowed on the Pope and his successors the sovereignty over the exarchate of Ravenna, including what was then called the duchy of Rome. And then, directing the arms of his subjects to foreign conquest, he enlarged the limits of his dominions, and left them on his death, in 768, to be divided between his sons Carloman and Charles.

Carloman survived his father during three years only; after which Charles, or Charlemagne, became the single sovereign of the empire of the Franks. He extended it over every land in which the languages of Rome or Germany, or in which any tongue derived from them, were at that time spoken. Reigning the undisputed monarch of Europe, from the Elbe to the Ebro, from the Danube to the Adriatic, from the Alps to Beneventum—the head of an empire equal in extent and in power

to that of the later emperors of the West, he received from Pope Leo III. the diadem, and with it the imperial title, which had fallen from the faint hold of Augustulus more than three centuries before.

Over this vast territory Charlemagne reigned, with an intellect to discern, a soul to desire, and a will to pursue, the highest attainable interests of the nations by whom it was peopled. Perhaps the character of so zealous a patron of men of letters, and of so munificent a benefactor of the papacy, may have been drawn in too brilliant colors by his literary and ecclesiastical eulogists. But what remains of his legislation, and the authentic records of his public acts, give him an indisputable title to the appellation of the Great, which his subjects bestowed upon him after his death, and which the unanimous suffrage of the whole civilized world has subsequently ratified.

Yet, obeying the general law of our existence, Charlemagne was the creature of the age in which he lived, imbibing much of its spirit, and in bondage to many of its errors. And hence it happened that the lofty edifice of his power crumbled into dust when his own strong hand and his own plastic genius could no longer be exerted to consolidate and to support it. Perhaps the materials with which he was compelled to work may have been incapable of any more permanent cohesion; or, perhaps, the enthusiasm of his admirers may have concealed from him, as from themselves, the defects of his workmanship.

To Pepin of Heristal, the author of the greatness of his house; to Charles Martel, the Miltiades of modern Europe; to Pepin-le-Bref, the founder of the Carlovingian Dynasty, and of the temporal dominion of the Popes; and to Charlemagne, the restorer of the Western empire, succeeded Louis the Debonnaire, a devout and virtuous man, and even a patriotic prince, but whose personal history is degraded by monastic superstitions, by uxorious fondness, and by imbecility of spirit, and the history of whose reign is composed of little else than the calamities and crimes of the civil wars which he waged with his own children. His crown devolved first on his eldest son, Lothaire, the heir of the disasters, though not of the piety of his father; and then on his youngest son,

Charles the Bald, who, without courage, or talents, or conduct, was passively drifted by the current of events to titular dignities, and to a nominal extent of empire scarcely inferior to those of which Charlemagne had enjoyed the reality. Charles died in the year 877. Within twelve years from that time, the throne of Charlemagne was occupied and disgraced by Louis the Stammerer, by Louis III., by Carloman, and by Charles the Fat. On the deposition of the last of those princes in 888, the dynasty itself was virtually extinguished.

A hundred years of anarchy followed, though not without some occasional semblance of a regular government. The history of that age commemorates a multitude of princes who, with various success, and on grounds as various, laid claim to the Carlovingian crown—some of them deriving their title through the female, and some through the illegitimate kindred of that royal race—some assuming the imperial, and some aspiring only to the royal title; but no two of them in succession pretending to the same extent of dominion, nor any one of them earning the praise of any eminent personal qualities, of any wisdom in civil government, or of any triumph in war. The long and wearisome narrative of their contests and their depositions, of their follies and their guilt, of their weakness and their miseries, reaches at length a welcome close in the year 987, when Hugues Capet, being elected by his army to wear the crown of France, laid the foundation of the Third or Capetian Dynasty. He succeeded, however, to a weak and almost titular dominion. Within the limits of ancient Gaul there had grown up, during the preceding anarchy, four kingdoms and fifty-five great fiefs, each acknowledging in form, but denying in substance, the superiority of the nominal head of the Carlovingian empire, and their own subordination to him.

From the preceding glance, rapid as it is, at the history of the Franco-Gallic empire, it appears that the founders of each of the first two dynasties effected conquests of great extent, rapidity, and duration; that the dominion so acquired by each of them underwent, in the persons of his descendants, a precipitate and irremediable decline; that, in either case, the powers of the enfeebled monarchy were usurped by a body of aristocratic chiefs; that, in both the first and the second races, one of those chiefs at length usurped the crown of his sover-

eign, and transmitted it to his own descendants; and that, from the commencement to the close of each of these two successive series of events, there were perceptibly germinating both the seeds of that civil polity which we call the Feudal system, and the seeds of that Ecclesiastical polity which restored to Rome her ancient supremacy over the Western world. Now this remarkable coincidence between the fortunes of the two dynasties can not have been fortuitous; that is, it can not have been referable to causes too recondite for human scrutiny. During the five centuries over which these phenomena extended, there must have always been at work some forces conducing to this remarkable reproduction of the same results; some effective agency of which man himself was at one time the unconscious, and at another time the unwilling, instrument. What, then, were those enduring springs of action, by the elastic power of which each of the Franco-Gallic monarchies arose with such similar promptitude—fell into so similar a lifelessness—made way for so similar an aristocratic usurpation—and were so similarly productive of results, ecclesiastical and civil, the unexhausted influence of which we can yet perceive and feel after the lapse of so many ages?

Every French writer with whom I am acquainted has labored to find the answer to that problem. I shall not attempt to explain, or even to recapitulate, their solutions of it. It may be sufficient to say, that they generally find the causes of these phenomena either in the Germanic institutions introduced by the conquerors into Gaul—or in the tenures on which land was granted there subsequently to the conquest—or in the subordination of ranks and of political privileges then first established between the different classes of the inhabitants—or in the new codes and judicial tribunals to which they were then subjected—or in the personal characters of the monarchs who inherited the crowns of Clovis or of Charlemagne—or in the dismemberments of their dominions for the benefit of their sons—or in the combination of some two or more of these causes—or in other causes similar and analogous to these. Now it would be mere folly and arrogance to suppose that men so learned, so laborious, and so acute as those who have advocated these opinions, have one after the other fallen into grave and palpable errors on a subject not

perhaps in itself very difficult or obscure. On the contrary, I doubt not that Daniel and Du Bos, and Mably, and Boulainvilliers, and especially MM. Guizot and Thierry, have rightly deciphered much of the scroll of their nation's remoter history. I venture merely to believe that the love of country, and the love of refinement, and the love of generalization, so characteristic of their literature, have rendered them reluctant to perceive, and slow to confess, a more obvious though a less attractive truth — the truth, I mean, that, under both the Merovingian and the Carlovingian dynasties, France pursued the same downward path, to the same brink of anarchy, because, under both, a barbaric people were living beneath the rule of barbaric kings.

So intimate is the alliance between history and romance, between the facts treasured up in the memory, and the pictures into which they group or resolve themselves in the imagination, that it is given to no man, however vast his learning, or profound his discernment, to contemplate the events of former times in an aspect absolutely genuine and exempt from all the distortions, and from all the false coloring, induced by ideal representations of them. Gibbon certainly did not possess that gift when he adorned the wars and policy of Clovis with all the embellishments of his gorgeous eloquence. Even M. Guizot did not, I think, possess it, when he contemplated them as pregnant at every stage with the deepest lessons of social philosophy. The mind of Tacitus himself (to hazard a far more daring criticism) was not wholly exempt from this kind of dalliance with the beautiful to the neglect of the real, when he was delineating the people from whom Clovis and his warriors descended; for, in his Treatise on the Manners of the Germans, the true though unavowed design of the great historian, as we well know, was to exhibit and to rebuke the degeneracy of the manners of Rome. And hence it happened that the graphic skill with which he sketched the free barbarian of the forest was greater than the pictorial fidelity of the portrait. It better suited his purpose to portray the more striking characteristics of the Teutonic races collectively, than to investigate the more minute peculiarities which distinguished them from each other. Yet we can not doubt that, even in his day, they were far widely

discriminated in fact, than in his delineation of them, as, beyond all controversy, they were so in the age of Clovis.

Thus, for example, the Burgundians, before their irruption to Gaul, were remarkable for their skill as artisans; and in the poems in which, not long after that event, they were described by Sidonius Apollinaris, we have the best attestation of their resemblance to the kind and simple-hearted German of our own days. Thus also the Gothic people, almost immediately after their settlement in Aquitaine, manifested a singular aptitude for a yet higher civilization; for, if St. Jerome was correctly informed, Ataulph, their king, seriously projected the substitution of a new Gothic for the old Roman empire; a scheme in which the character of Julius was to be ascribed to Alaric, that of Augustus being reserved for the projector himself. Euric, the successor of Ataulph, filled his court at Toulouse with rhetoricians, poets, and grammarians; and coveted (and not altogether in vain) the applause of the Italian critics for the pure Latinity of his dispatches.

The Francs, on the other hand, were a barbarous people, and their history is in fact a barbaric history. At their entrance into Gaul they were worshipers of Odin, and believed that the gates of the Walhalla rolled back spontaneously on their hinges to admit the warrior who had dyed, with the blood of his enemies, the battle-field on which he had himself fallen. From their settlements on the Lower Rhine they had sometimes marched to the defense of the Romano-Gallic province, but more frequently and gladly to the invasion of it. Their appetite for rapine was insatiate, unrestrained, and irresistible. In war they were the prototypes of the Norman pirates of a later age, or of the West Indian buccaneers of more modern times. In peace they were the very counterpart of the North American Indians, as depicted by the early travelers in Canada; a comparison which almost every commentator on Tacitus has instituted and verified.

In most of the French writers, however, in Gibbon's History, and even in the lectures of M. Guizot, Clovis and Clotaire sweep across the historic stage in the garb and character of heroes. Their campaigns are depicted in colors brilliant enough to reflect the glories of Napoleon. The doctrines of Aristotle and of Montesquieu are invoked to interpret to us

the enigmas of their policy; and the revolutions of their kingdom are announced in terms such as might fitly celebrate the overthrow of the empire of the Cæsars.

We may respect the national piety which thus desires to embellish the cradle of the monarchy of France, but we can hardly acknowledge the discretion of the attempt. Our own national exultation in the greatness of those Norman dukes who wore the English crown, but were known to England only as conquerors, as aliens, and as oppressors, is sober and rational in comparison; for our Norman monarchs were at least men of courteous manners, of cultivated minds, and of lofty purposes. Clovis was an untutored savage. He exhibited, in their darkest aspect, the worst vices of savage life. In peace and in war his hands were ever stained with blood. At the close of his reign he assassinated every chief of his tribe from whom his children had any rivalry to apprehend. The most pathetic and heart-subduing motives of the religion which he had embraced were insufficient to tame his ferocity. Even the evangelical narrative of the sacrifice of Calvary drew from him no other than the well-known exclamation, "Si ego ibidem cum Frankis meis fuissem, injurias ejus vindicassem!" His feebler descendants abandoned themselves to intemperance and debauchery, the only amusements of which they were capable. There is no reason to suppose that any of them had ever learned to read; for even Charlemagne himself (as Mabillon assures us) could not write, but "made a mark like an honest and plain-dealing man." War was the single art in which the Merovingian princes ever attained any proficiency, and even their warfare was an exhibition of savage craft and valor, not of any skill in strategy. Sidonius Appollinaris saw and has delineated one of their military bands. He describes the host as bareheaded, with masses of long red hair falling between their shoulders, their bodies tightly girt about with raw hides, though naked from the knee downward, carrying neither slings nor bows, nor other missiles, except a hatchet and a short pike, to which was strung a barbed harpoon, marching on foot, and protected by no defensive armor. Occasionally, says Sidonius, one and another warrior, in an excess of martial phrensy, would rush forward to meet inevitable death, fighting to the last with more than human energy, amid the war songs and acclamations of their comrades.

Such was the commander and such the followers by whom the Romano-Gallic province was subdued. If opposed by the legions of Rome, they would have fallen at the first shock of so unequal an encounter. But the legions had been withdrawn into Italy for the defense of the heart of the empire. If opposed by any national movement of the free inhabitants of Gaul, such invaders must have been repelled by the military skill and organization of so comparatively civilized a people. But the national spirit had departed; and even among that gallant race the mere instinct of animal courage was, for the moment, extinct. In Armorica, and there alone, a warlike and unconquered people of the old Gallic lineage were still to be found. Their progenitors had taken refuge there from the western peninsula of Britain, in order to escape the oppressions of the Roman conquerors. The descendants of those fugitives opposed an impenetrable front to Clovis and his hordes. They refused to be the victims, but consented to be the partakers of his spoliations; and, by allying themselves to the conqueror, succeeded in transmitting to their posterity the independence which they maintained during so many following ages under their native dukes.

But in every other part of Gaul, Roman oppression had done its work. The curse of fiscal tyranny had depopulated extensive districts, had stricken the land with barrenness, had swept away all the smaller proprietors, had degraded into slaves the actual cultivators of the soil, and had broken asunder the bonds by which the wealthy and the poor had once been united; and now, when the very name and shadow of the empire was departing, the fairest of her former possessions awaited, as a helpless prey, the first formidable arm and resolute will which should assert a sovereignty over it. The people submissively accepted, on his own terms, the shelter of the government, or, rather, the defense of the sword of Clvois. He triumphed over them neither by military skill, nor by extensive resources, nor by sublime audacity, nor by any other of the powers which usually attended the march of conquerors, but simply because, no longer retaining either the means or the desire to assert their national independence, they stood in need of a sovereign on whose protection they might depend, and to whose supremacy they might bow; and because Clovis, and he alone, presented himself to assume the abdicated diadem of the Cæsars.

The Frankish conquest of the south and of the east of Gaul, however, presented greater difficulties, and requires some less obvious explanation. The Goths and the Burgundians resisted the new invaders with a spirit as resolute as their own. It was a conflict, not of free Germans with enervated Gauls, but of the different Teutonic tribes with each other; and, in that conflict, the Franks were inferior to their enemies both in mechanical arts and in mental culture. Yet so complete and so rapid was their triumph, that, within a few years from the death of Clovis, his sons were acknowledged as kings over the whole of what had once formed the Romano-Gallic province. To what cause, then, less imposing than the genius and the power of the Merovingian princes, can this unbroken series of victories be ascribed?

It may be ascribed, in part, to the religious enthusiasm which animated the assault of the Franks on those whom they abhorred as the enemies of Heaven, and whose destruction they regarded as a sacrifice not less grateful to the Deity than to themselves. But it is to be ascribed chiefly to those social distinctions which separated the aggressive and the defensive belligerents from each other—the Franks, who had recently emerged from their native forests, from the Goths and Burgundians who had long inhabited their Gallic settlements; the first, a succession of armed bands, whose families and cattle remained far off and secure in their German fastnesses; the second, a body of agricultural colonists, who, with their households and their herds, were living in wide dispersion from each other. On the one side were armies, ill equipped indeed, ill organized, and ill commanded; on the other side, a rural population hastily summoned to the use of weapons which they had long laid aside, and to the discharge of military duties with which disuse had rendered them unfamiliar. The universal experience of mankind sufficiently attests that the issue of war, when waged between such combatants, is never really doubtful.

But in the wars which Clovis and his sons carried on with the Germanic tribes to the eastward of the Rhine, they are represented by their modern French eulogists as having been gifted at once with the wide-ranging sight of great captains and the prophetic sight of great statesmen. They are supposed to have engaged in these contests, not from any vulgar cupidity

for plunder or for power, but in order to subdue the nations from whom they would have otherwise had to apprehend new barbaric irruptions into Gaul. They are therefore described as imitating the policy of Tiberius, and as anticipating that of Charlemagne. I have attempted in vain to verify these discoveries. The battles fought between the Cis-Rhenane Franks and the Trans-Rhenane Germans were not the conflicts of organized armies so much as the onslaughts of hostile tribes. Even the much celebrated combat of Tolbiac, which repelled the Alemanni and destroyed a multitude of their warriors, was a military achievement to be compared, not with the actions of Condé or Turenne, but rather with the recent victories of the Zooloo chief Dingaan over the forces of the Kaffir tribes in Southern Africa; for Dingaan brought into the field as many followers as Clovis, equipped in a manner not dissimilar, and commanded with at least equal military skill.

In the same manner, when we read of treaties by which the Frankish dominion was extended, by the sons of Clovis, over a large part of Germany, we must not call up the image, or the remembrance, of the congresses and conventions of Utrecht or of Vienna. From the age of Tacitus, the German people had been divided into many petty tribes, which had been aggregated into several great confederacies. Allured or alarmed by the conquest of Gaul, the tribes of Bavaria, of Suabia, and of Franconia consented to become members of the Frankish confederacy by whom that conquest had been achieved. This is the simple and unadorned explanation of the international compacts of which the French historians make their boast. Placed as we are beyond the influence of that antiquarian nationality which has converted the founders of the first dynasty of France into heroes and statesmen, diplomatists and philosophers, we may venture to regard the German Kyning as but the rude and shapeless germ of the European King, and may own our belief that his wars were but the levying of so much black mail; that his negotiations were but so many palavers; and that between the long-haired Merovings and the princes of the house of Bourbon, there was little more in common than between the Indian chief who scalped his enemies on the banks of the Potomac and the President of the United States of America.

These general conclusions do not rest upon the collation of the works of many authors, but chiefly on the testimonies of two—of Sidonius (that is) and of Gregory of Tours, to whom alone we are indebted for almost all which is known of the internal condition of Gaul under the dynasty of the Merovings. Of the opinions and portraits of Sidonius we have already seen something, and I shall refer to them again in the sequel. Gregory was elected to be bishop of Tours about the year 566. Seven years after his election, he began the composition of his history. It comprises an account of the remarkable events which occurred in Gaul from the year 395 to the year 591—a period embracing about a century and a half from the earliest Frankish conquests. Of many of those events the historian was himself an eye-witness. He died in the year 594.

It is impossible for me at this moment to lay before you any of the many narratives to be found in the nine books of Gregory's history, which might be quoted in support of the general statement that the Frankish conquerors of Gaul held no higher place in the scale of civilization than the savages of the Rocky Mountains or of Caffraria. For any such quotations I gladly substitute the following summary of Gregory's testimony on the subject, which I borrow from the fifth chapter of the first volume of M. Fauriel's History of the Provençal Poetry: "Such of the Romano-Gallic people, whether laics or ecclesiastics, as enjoyed any influence from the superiority either of their rank or of their intelligence, endeavored to render the Frankish conquest subservient to the welfare both of the conquered and of the conquering people. But the barbarous chiefs of those conquerors exercised their dominion as a mere brute force, concentrated entirely in their own persons. They employed it as an instrument for satisfying their unbridled passions, their insatiable cupidity, and their brutal ardor for the sensual enjoyments of life. The chiefs attacked, butchered, and despoiled one another. Their Leudes (that is, their officers and agents), abhorring a power opposed to all their Germanic ideas and habits, conspired against them, resisted their authority, and made it their constant object to convert into an absolute ownership the revocable interest which had been assigned to them in the spoils and honors of the conquest; while many of them, making common cause with the

conquered people placed under their command, were engaged in ceaseless revolts against the Merovingian kings, until they had entirely thrown off their authority."

I anticipate the inquiry, To what purpose consume our time in studying the history of the Frankish dynasties, if they were really conducted by rulers thus barbarous, having for their subjects tribes thus uncivilized? I answer that the study is important, because, barbarous as they were, they were chosen by the Supreme Ruler of the Nations to lay the basis of that great European commonwealth, to every pulse of which the whole civilized world has been so long accustomed to vibrate; because they were intermingled with the Gallic races, among whom many remains of the old Roman civilization still lingered; and because, from the vicissitudes of their fortunes and the spirit of their institutions eventually sprang those polities, Feudal and Papal, which have left their indelible impress on the history and condition of the whole Christian world. I believe, therefore, that we shall do wisely in following the steps of those great historians who have employed themselves in interpreting the causes of the subversion of the dynasty of Clovis, and in that belief I proceed to offer what occurs to myself as most material in explanation of that much-debated catastrophe.

First, then, I observe that the Frankish conquest of the Romano-Gallic province was never completely accomplished; for, in addition to the antipathy which alienated the Franks from the Gauls—the dominant from the subject race—they were farther divided from each other by the indelible contrast of their characters, national and hereditary. In the Merovingian, as in every other age, the Gauls were animated by a courage which (when unchilled by oppression and slavery) was of an almost incomparable ardor. Keenly susceptible of every kind of impulse, impelled into speech and action by a restless constitutional vivacity, fickle of purpose, impatient of the tranquil rule of law, and involved in perpetual disunions with each other, this ingenious, volatile, enthusiastic race might seem to have been molded by the hand of Nature herself, as a living antithesis to their Teutonic conquerors. The subtle, insinuating, and courteous Gaul despised, even while he obeyed, the sluggish, simple-minded German, and found inexhaust-

ible food for ridicule in his blunt speech and phlegmatic demeanor. The Gaul yielded himself recklessly to every gust of emotion. The German lived under the control of passions as measured in their outward manifestation as they were fervent and enduring in reality. The Gaul habitually displayed what, in the more abstruse idiom of the modern French tongue, would be called a strong development of the sense of individuality, or, in our homelier English, was egregiously vain. The German neither rendered nor coveted any idolatrous homage, but, meditating the interests of his nation or of his tribe, merged his own fame in theirs, and cheerfully abandoned his separate purposes to promote the designs of his associates in policy or in arms.

Between the mercurial Gaul and his saturnine conqueror, amalgamation, whether social or political, was therefore of very tardy growth. The relation between them long resembled, and has not seldom been compared to that which the lively Greek bore to his solemn Turkish master. To minister to the luxuries of the victorious barbarian, to play upon his weakness, to supply his lack of learning, and so to creep into all employments demanding a more than common address and mental culture, were arts practiced by the Gallic bondsman at Paris many ages before they were employed by the Greek bondsman at Constantinople. And so it happened that, after the stranger had gained possession of his land, the Gaul insinuated himself into almost every important office, judicial and ecclesiastical. The Meroving thus reigned over a state in which the great mass of the people regarded his rule with aversion and his person with contempt, and derided the convenient dullness which gave such ample scope to their own encroaching subtlety.

Secondly. When Clovis became the conqueror of Gaul, he was not considered by himself or by others as having become the monarch of a definite territory, or even as having become, in the proper sense of the word, the *Sovereign* of the old Romano-Gallic inhabitants. No attempt was made to impose upon the conquered people the laws, the language, or the customs of the conquerors. Sometimes, indeed, the privileges of Frankish birth were granted to individual Gauls, but each of them was free, if so it pleased him, to live under the ancient

laws of Rome, and to observe the legal customs of the Roman empire; for in that age law was considered not as a local, but as a personal distinction; and in respect of the code, penal and civil, under which they lived, the two races were thus separated from each other, after the conquest of Gaul, precisely as they had been separated before.

Thirdly. There was no system of civil administrative government of which the Merovingian Kyning was the head, or to which the provincial Gauls were subordinated. Under the Romans, Gaul had been divided into cities and rural provinces. In the cities and their suburbs, all local affairs had been conducted by municipalities, bearing no rude analogy to that of Rome herself; while in each rural province, the imperial authority had been represented and administered by a Dux or Comes, or a Vicecomes. After the conquest, the Frank Herizog superseded the duke. The Frank Graf took the place of the count or viscount, and claimed in every city an authority co-ordinate with that of the old municipal magistrates. But the Herizog and the Graf did not maintain with the Kyning relations corresponding with those which the duke or count had maintained with the emperor. The German viceroy raised the military recruits for which his district or city was liable, but made no other practical acknowledgment of responsibility or subordination to the Kyning, or to any other human being. Each Herizog and Graf was regarded as supreme, or at least as independent, within the limits of his own command; for although in the administration of justice he associated to himself Rakenburghs, that is, eminent persons of Gallic birth, without whose concurrence no judgment for or against any Gaul could be pronounced, yet from the judgments of the Herizog or Graf, and of the Rakenburghs, there was no appeal either to the Merovingian king, or to any officer of his appointment.

Fourthly. Destitute as the Kyning thus was of all civil and judicial authority, he was equally powerless in the government of the Church. Her bishops and ministers were elected by the people at large, and provincial synods promulgated ecclesiastical laws without any preceding or retrospective sanction from the temporal sovereign.

Fifthly. Negotiations and alliances with foreign states were

equally beyond his province, for as yet diplomacy and diplomatic relations were not. Nor was he the conservator of the peace of his people, for he had neither magistrates nor police under his orders. Nor was he the author of public works, for in those ages none such were ever undertaken or projected.

Sixthly. To these defects of the royal power it must be added, that the Merovingian king was not the legislator for his people; or, rather, that there was in those ages no Gallo-Frankish Legislature whatever. This is, indeed, to contradict a prevalent opinion. It is usually supposed that each of the German tribes, on its entrance into Gaul, promulgated there the ancient code of their nation, and afterward introduced into that code such amendments as experience suggested. No supposition, however, can be more erroneous, than that the Gothic, Salian, Ripuarian, and Burgundian codes were ever established (as the Code Napoleon, for example, was established) by the deliberate act of a formal Legislature. They were recapitulated, or, in modern phrase, were edited, by aged men, as memorials of the customs of their father-land; and in this office they availed themselves of the aid of Gauls, who alone were qualified both to give a permanent form to those unwritten traditions, and to adapt them to the new circumstances in which the Frankish tribes were placed. These compilations seem to have been received very much as our own forefathers received the institutes of Bracton, of Fleta, and of Littleton.

From the co-operation of Gallic and of German compilers of these codes, it happened that each of them was more or less compounded of two distinct elements—the one the barbaric traditions, the other the Roman jurisprudence. Nor is it at all difficult, especially with the aid of the very learned Savigny, to perceive how the greater or less predominance of the Roman element coincides with the greater or less civilization of the people for whose use each code was so promulgated. Accordingly, the Gothic drew most copiously, and the Salian code least extensively, from the Corpus Juris Civilis; while the ideas of savage life pervaded the Salian compilation most completely, and the Gothic in the smallest measure. Yet in all of these collections of laws or customs, those ideas exercised a commanding influence. They were all, to a great extent, the barbarous laws of a barbarous people. They all, for

example, proceed on the assumption that crime is an injury, not to the collective society, but to the individual sufferer; that he or his surviving kindred have a natural and indefeasible right to take vengeance on the wrong-doer, and that the proper office of the law-giver is to secure the enforcement of this vindictive privilege, subject only to such restraints as may prevent the undue exercise or abuse of it.

In those precious monuments of antiquity we have the most distinct records of the relations which subsisted in Gaul between the conquering and the conquered people. The milder Goths and Burgundians exacted from the homicide a fine of equal amount, whether the victim had been a German or a Gaul. The fiercer Franks doubled the penalty if the person slain had been one of their own nation. Comparatively equitable, the Goths and Burgundians guaranteed to the ancient proprietors one third of their lands, and two thirds of the slaves attached to them. The less scrupulous Franks imposed no such restraint on their own cupidity. Perhaps, however, the comparative mildness of these more early invaders of Gaul may have been prompted, not by their superior civilization, nor by their greater equity, but by prudence, or even by necessity; for we know that some of their concessions to the conquered people were extorted from their fears; and it does not seem unreasonable to conjecture, that, in other cases, the Goths and Burgundians were less oppressive than the Franks, merely because they were less able to practice oppression with impunity.

At present, however, I touch on this large subject of the Germanic codes only with a view to the remark that the authorship of them is not due to the Merovingian kings or chieftains. We might with equal reason ascribe the commentaries of Sir Edward Coke to the first British sovereign of the family of Stuart.

The character of legislators is, however, ascribed to Clovis and his royal descendants on the ground of the enactments which are supposed to have been made at their suggestion at the Champs de Mars, or annual comitia of the Franks. In order to estimate this pretension aright, we must inquire what those assemblies really were?

The words of Tacitus are, "De minoribus rebus principes

consultant, de majoribus omnes; ita tamen ut ea quoque, quorum penes plebem arbitrium est, apud principes pertractentur." Perhaps no English word corresponds so nearly to the word "principes" in this passage as our term "chieftain," nor have we any better equivalent for the words "omnes" and "plebem," as here used, than that of "clansmen." But at these gatherings of the patriarchal chieftain and his clan, legislation was neither the single, nor the principal, nor the ordinary, nor perhaps even the occasional object. For in Tacitus again we read, "Licet apud concilium accusare quoque, et discrimen capitis intendere. Eliguntur in iisdem comitiis et principes qui jura per pagos, vicosque, reddunt." It is, therefore, ascertained that these assemblies tried criminals and elected judges; but that they ever enacted permanent laws, is little more than a conjecture. Whatever the actual business of such meetings may have been, we know, however, from the same authority, that attendance at them was often rendered tardily and with reluctance. "Illud ex libertate vitium, quod non simul, nec, ut jussi, conveniunt, sed et alter et tertius dies, cunctatione coeuntium consumitur."

Now when this national institute of the German tribes was transplanted into Gaul, it did not strike root and germinate in that foreign soil without abundant indications of having undergone an unhealthful change; for, first, the Princeps or chieftain found himself in a new position. He was no longer dwelling in the secure circle of his own patriarchal family. He had been constrained to receive among them many of the ancient Gallic inhabitants to aid in the cultivation of his isolated settlement, and many armed warriors to assist in the defense of it. The obedience of his dependents could, therefore, no longer be maintained by the unaided bonds of filial or domestic piety. As he ruled over a body far more numerous and far more discordant than his ancient sept or clan, so he invoked the aid of other arms than those of duty, reverence, and attachment. As he exercised an authority at once more rigid and more precarious than in his native forest, so the reluctance with which even there he had attended the comitia of his people continually increased. He was unwilling to incur the toil of journeys of such unwonted distance, to expose his home to the hazards of his protracted absence from it, or

to exchange the dignity which he enjoyed there for the subordination and comparative insignificance which awaited him at the general assembly.

The comitia, or Champs de Mars, of the Franks in Gaul being thus deserted by the chieftains of the more distant clans, became, in fact, nothing more than councils of war. Sidonius has left us a description of such an assembly, at which he was himself present at Toulouse. He calls it "concilium seniorum," and has drawn it in colors deepened probably by the contempt of the polished Roman for these rude barbarians. He paints them as a squalid group, squatting on the bare ground, coarse and dirty in their persons, clad in mean and tight vestments, and shod with sandals of raw hides. Gregory of Tours has preserved a speech delivered by Clovis himself at such an assembly. In a few stern and pungent words, the royal orator exhorts the military congress to march to the conquest of the Gothic Arians. The air rings with acclamations, and the king and his counselors, leaping up, are forthwith on their way to slay or to convert the heretics.

The presumption that, during the lives of Clovis and his sons, these armed and tumultuous Parliaments did not really assume the grave office of legislation, is confirmed by the silence both of Sidonius and of Gregory on the subject; and the writers of later times seem to be unanimous in the opinion, that after the death of Clovis and his sons, and during the reigns of all the later Merovingians, the Champs de Mars, or ancient Germanic assemblies, ceased to meet for any purpose whatever. On the whole, therefore, I conclude that the Merovings were not at any time the legislators for the Gallic people, and that there was not, in fact, in their times, any general Frankish Legislature.

Seventhly. The Merovings were not administrators of finance, nor had they, in fact, any national revenue. This statement seems to me to admit of a ready explanation and a sufficient proof, eminent as are the authorities by which it is contradicted.

For the reasons stated in my former lecture, the Franks, on their invasion of Gaul, found vast territories there desolate and abandoned by the plow. In those tracts of land the conquerors received the reward of their dangers and of their toils. Not

seldom apparently they were also rewarded by the assignment to them of farms actually under cultivation. The estates thus acquired were called *sortes*, because they had been apportioned by lot. They were also called *al-ods*, because, in the case of each warrior, they constituted the whole of his gain or booty. These sortes, or al-ods, were held free from any rent or service, or other liability to any superior lord—an exemption from which the word "allodial" derives that peculiar meaning which belongs to it in the French law, as well as in our own.

After deducting from the entire surface of Gaul, first, these allodial lands, and, secondly, the tracts which the ancient inhabitants were permitted to retain, there remained a vast extent of territory which was considered as the share in the general spoil which belonged to the Merovingian king. In various parts of this royal domain he had residences, to each of which was attached a considerable extent of cultivated land. Passing with his vast household from one of these estates to the other, he consumed, in turn, the harvests of each.

On each were large bodies of slaves and of petty farmers, called *coloni;* that is, serfs, *adscripti glebæ;* vendible with the soil and inseparable from it, and bound either to render fixed rents in kind, or to repair the houses, to till the lands, to tend the herds, to hunt the forests, and to fish the rivers of the lord. In addition to these resources, the king was accustomed, and, as some maintain, was entitled to receive from his principal chieftains annual presents of clothing, cattle, and the like.

With no marine to maintain, no public works to construct, no stores or arsenals to supply, no judges, embassadors, ministers, or civil servants to support, and no public debt to pay, a Merovingian king, possessing such ways and means as these, might well esteem himself affluent without a treasury, and rich without the command of a denarius.

Yet he had to meet one great and still recurring exigency—he was the general of a considerable army; and to ourselves no problem can appear so hopeless and intractable as that of keeping up such a force without the aid of a well-furnished exchequer. This difficulty, however familiar and obvious as it is to us, is of comparatively recent growth in modern Europe.

Our Teutonic ancestors never heeded or acknowledged it. To serve his captain in the field, and to subsist upon the spoils of the enemy, was at once the duty and the delight of every free German. The Frank still confessed the duty, but ceased to feel the delight, after he had become a settler in Gaul. His new sedentary occupations taught him to set a high value on the tranquil enjoyment of the fruits of his own labor. His spontaneous military ardor, therefore, died away. But the Kyning did not the less stand in need of his military services. It therefore became necessary to rekindle his passion for war by new incentives, and to enforce his presence in the camp by new obligations.

Now, in their ancient German settlements, the Merovingian king, and the principal chiefs subordinate to him, had all been surrounded by those companions who are designated by Tacitus as Comites, and who called themselves Leudes or Antrustions. Such companions differed from each other in rank. "Gradus quinetiam et ipsi comitatus habet, judicio ejus quem sectantur." From this relation to their leader they at once received and imparted dignity: "Magnaque et comitum æmulatio, quibus, primus, apud principem suum, locus, et principûm, cui plurimi et acerrimi comites. Hæc dignitas, hæ vires, magno semper electorum juvenum globo circumdari; in pace decus in bello præsidium." They were also accustomed to expect and to receive military presents from their chieftain. "Exigunt enim principis sui liberalitate, illum bellatorem equum, illum cruentam victricemque frameam." But he paid them no military stipend. "Nam epulæ, et quanquam incompti, largi tamen apparatus, pro stipendo cedunt. Materia munificentiæ per bella et raptus." In his new position, and desirous to provoke and to secure, rather than to reward the services of his companions, the Merovingian king, ceasing to bestow on them war-horses and shields, substituted the more substantial recompense of tracts of land carved out of his royal domain. Instead of absolute gifts, he now made conditional grants. In return for the land, the royal donor stipulated that he should receive, and the military companion bound himself to render warlike services of a prescribed duration and amount. The number of warriors whom each grantee pledged himself to supply and to equip, varied with the extent and the value

of the lands conceded to him. Such concessions were called *beneficia.*

Volumes of controversy have been written to determine whether such benefices were resumable at pleasure, or whether they were held for a term of years, for life, or in perpetuity. Into this debate it is beside my immediate purpose to enter, farther than to express my own opinion that such grants were usually made without any distinct apprehension, on either side, as to the period for which they were to endure. It is, however, certain that a protracted strife respecting the tenure of them arose between the Merovingian princes and the grantees. The princes maintained their right to resume such lands at their pleasure; the grantees labored to render the tenure of them hereditary in their own families. In this contest the grantees were generally successful. But they succeeded only so far as to render their estates inheritable by their *male* heirs; for in the Salian code was incorporated that memorable tradition of the Franks: "De terrâ Salicâ in mulierem nulla portio hereditatus transit sed hoc virilis sexus acquirit;" a provision which, in the fourteenth century, was successfully, though unreasonably, quoted to exclude all females from the right of succession to the crown of France.

But whatever may have been the legal tenure of these benefices, my present object is to show that the military services due in respect of them gave to the Merovingian kings the means of recruiting, equipping, and maintaining their armies; and that thus, even to meet the exigencies of war, they had no revenue, in the proper sense of that word, and were not dependent on any fiscal resources.

Some French writers have indeed maintained that the old Roman taxes were levied in Gaul for the benefit of Clovis and his descendants. Of that fact, however, no proof has, I think, ever yet been adduced from any extant records; and they who have searched the archives of France most diligently assert that no such proofs are to be found there.

Since, then, the kings of the first or Merovingian race enjoyed none of the attributes of sovereignty with which we are familiar, it is difficult to say in what sense, or with what propriety the royal title is ascribed to them. We can not transfer our modern words king, reign, royalty, and the like, to their

persons, or to such a dynasty as theirs, without weaving an inextricable web of verbal fallacies. By a king we, in these later ages, mean the head of a monarchical state, from whom all subordinate powers and dignities emanate, and to whom all other functionaries are amenable. But this complex idea is the tardy growth of time. By the word Kyning, the Franks meant simply the depository of any power, whether military or political. The word itself, as M. Thierry has shown, might be rendered into Latin with equal accuracy by the terms *imperator* or *consul*, or *dux* or *præfectus*, or by any synonym of these. In his native forest, the Merovingian Kyning was distinguished from other men by two attributes. First, he was the chief of a family which, in popular belief, derived their origin from the Scandinavian deities—a descent attested by the length and richness of his unpolled hair; and, secondly, he was often, though not always, the chosen leader of the warriors of his tribe. His "prerogatives," so to speak, were therefore composed of his claim to religious veneration, and of his right to military obedience. He was a heaven-descended general rather than a king. The camp was his seat of empire. The soldiers quartered there, and they alone were, in the right sense of the word, his subjects. In the division of booty he was entitled to the largest share, in all festivities to the most conspicuous place, in every national assembly to the highest influence, and among the tribes of his confederacy he was the foremost free man; but he was not, in the modern sense of the word, their sovereign. He was honored, followed, and supported by his people; he did not reign over them.

In whom, then, did the power over Gaul really reside during that long interval in which the sceptre is usually supposed to have been held by Clovis and his posterity? I answer that, from the warlike grasp of Clovis himself, all real dominion passed to the aristocracy, which he and his sons called into existence. It was composed, first, of what may be called the Official aristocracy, that is, the Herizogs and Grafs, each ruling with an almost independent authority over the city or district assigned to him. It was composed, secondly, of what may be called the Patriarchal aristocracy; that is, the chieftains of clans settled with their families and followers on their sortes or allodial lands. And it was composed, thirdly, of the

Military aristocracy; that is, the grantees of benefices, each having under his command a clan or tribe, collected from among his ancient companions in arms; or, more briefly, Gaul was apportioned among an aristocracy, official and territorial. The power of the territorial lords rested partly on the ancient traditions and patriarchal sentiments of the Germanic people, and partly on two other main buttresses. First, in each settlement was held an assembly called a *mallum*, which met at short and frequent intervals, to deliberate and to decide on the affairs of the clan. The powers of these local comitia were vast and indefinite, and were employed to reduce the ancient Romano-Gallic inhabitants into a bondage which continually became more and more galling. Secondly, the great territorial lords, imitating the example of the Merovingian kings, granted sub-benefices to their own leudes or companions. Thus each of the greater Frankish colonies in Gaul became a kind of image in miniature of the Frankish empire itself; that is, every such colony was under the military command of a chieftain, under the guidance of a local assembly, and under the protection of a body of warriors holding benefices on the condition of following their chief to battle.

To this aristocracy, official and territorial, gradually passed the whole strength of the Merovingian state. Single chiefs combined in their own persons the two conditions of aristocratic power—governing several cities or districts, and possessing at the same time many extensive al-ods or benefices. By these combinations of governments and of territories in the same hands, was laid the basis of a power which, rapidly eclipsing every other, at length reduced the posterity of Clovis to insignificance and contempt. If those princes became rois fainéants, it was because they had rien à faire. When he ceased to be the elected general of his nation, the Meroving became a mere cipher. Having first sacrificed his royal domain to secure to himself the service of an army, he found himself deprived of the command of that army by the votes of the very grantees whom he had thus enriched. Nothing was then left to him which he could sacrifice, and nothing of which he could be deprived, except a title which had lost its meaning, and a homage which had become obsolete. The famous rescript of Pope Zachary, "that he who possessed the royal

power might properly assume the royal dignity," overthrew not a living power, but a worn-out fiction. It was the consummation in form of that which the course of events had already accomplished in substance.

To recur, then, to the question which I proposed at the commencement—What were those abiding springs of action by the elastic power of which each of the Franco-Gallic dynasties successively arose with such similar energy, declined with such similar promptitude, fell into so similar a lifelessness, and made way for so similar an aristocratic usurpation?

The answer, so far, at least, as relates to the Merovingian race, may be comprised in the single word—Barbarism; a word vague and indefinite indeed, yet the only compendious term by which we can designate that condition of human society in which government is maintained, not by love, or reverence, or policy, but, on the side of the ruler, by mere physical force, and, on the side of the people, by abject terror. Under Clovis and his successors, Barbarism, so understood, vainly attempted the work of civilization. The untamed energy of barbaric power subdued the Romano-Gallic province. Barbarian rapacity, regarding that conquest only as the spoil of war, seized and divided it among the strongest as their prey. Barbarian ignorance left untried whatever might have amalgamated the vanquished Gauls and their victorious invaders into one united people. Barbarian recklessness transferred to a mighty empire the rude polity of an incoherent assemblage of uncivilized clans. The ideas of the forest were transplanted into a soil utterly unsuited to their growth. The German pastimes of war and of the chase were abandoned for sedentary pursuits. The German chieftain became a great proprietor, and his followers degenerated into mercenary soldiers. The patriarchal government of the tribe could no longer be maintained. The national assemblies could not be brought together. The long-haired Merovings retained no more the hereditary homage of their tribes, but descended first into an unmeaning and then into a contemptible pageant. Guided by no lights from experience, and by no maxims from forethought, the barbarous Frankish society resolved itself into its natural elements; the strong subjugating the weak, to be themselves in turn brought into subjection by such as were stronger still

than they. Each duke and count found in his civic or rural government a stronghold for assailing his neighbors and for his own defense. Each proprietor of allodial or of beneficial estates multiplied his armed retainers to aid or to oppose the forces of some other territorial lord. From this shock of hostile bands emerged at length that kind of peace which follows in every society upon the effective assertion by any one of its members of a strength too great for the successful resistance of the rest. By alliances, by wealth, by prowess, by military skill, and by policy, the house of Pepin gradually attained a power with which no other chief or combination of chiefs could any longer contend. The aristocracy had subverted the dominion of the Merovingian Kyning, to be themselves subverted by the founder of the Carlovingian dynasty. France has long been the theatre of experiments to graft new institutions upon a system of government, venerable at least for its antiquity, if for nothing else. The ill success of such experiments, when made by German Barbarism, was but an augury of the result of those similar attempts which in far distant ages were to be made by French Civilization. As we pursue the history of France, no truth will more frequently present itself to our notice than this—that the healthful growth of good government must be a spontaneous development from within, and not a compulsory envelopment from without. The antithesis is not merely verbal; it is substantial also.

LECTURE III.

ON THE CHARACTER AND INFLUENCE OF CHARLEMAGNE.

In my last lecture, I endeavored to trace the subversion of the Merovingian Dynasty to the barbarism which characterized alike the princes of that race and their civil and military institutions. There was, however, nothing barbarous in the agency by which their overthrow was accomplished. We should search the history of mankind in vain for any series of four successive monarchs, following each other in a direct hereditary lineage, to whom the praise of large capacity, of resolute purposes, and of splendid achievements, is so justly due as to Pepin of Heristal and his posterity to the third generation. That the descendants, first of Clovis and then of Charlemagne, pursued the same disastrous path to the same ultimate ruin, is, therefore, a coincidence which we may not ascribe to any similarity in the views or in the character of their respective progenitors. For it is not without reason that panegyric has so exhausted her powers in celebrating the great founder of the Carlovingian empire; and that, among the heroes of former ages, his name alone enjoys a kind of double immortality: the one, the deliberate award of history; the other, the prodigal gift of fiction and romance. What, then, were the causes which defeated even the genius of Charlemagne in his attempt to prolong, beyond his own life, either the empire which he restored, the polity which he established, or the code of laws which he promulgated? To resolve that question, we must bear in mind that, in common with all the great actors on the theatre of the world, he lived, not in obedience to occasional impulses, but under the government of certain fixed rules and maxims of conduct; that though some of these principles were the indigenous growth of his own mind, the greater part of them had been acquired by tradition from his ancestors; that his character was far more derivative than original; and that he himself was much rather the conductor

than the author of the influences which he exerted on the ages subsequent to his own.

To understand aright the reign of Charlemagne, it is necessary, therefore, to begin by inquiring, What were the laws, and what the policy of his house, which descended to him from his forefathers as a patrimonial inheritance?

First, then, I observe that Charlemagne was an *Austrasian;* that is, that he and his immediate ancestors belonged to that Gallic kingdom which, on the death of Clotaire I., was assigned to Sigebert, the youngest of his sons.

Among the tribes of the great Frankish confederacy which followed Clovis to the conquest of Gaul, the Salian and the Ripuarian were the chief. Being himself a Salian, Clovis placed the warriors of that race in possession of the largest and fairest portion of the conquered territory. Their settlements extended from the Meuse to the Loire, and embraced the whole of that part of Northern Gaul in which the ancient Romano-Gallic population were still numerous. In that region, the Salians, withdrawn far away from their native seats, became, in each succeeding generation, more and more estranged from the customs of their German ancestors, and more and more familiar with the habits, laws, and language of the subjugated people. The conquerors fell into a kind of social thraldom to those over whom they had triumphed, and progressively assumed a semi-Gallic and an unwarlike character.

Now, even in their native forests, the Salian and the Ripuarian Franks had been broadly distinguished from each other. They observed many different customs, and made use of dissimilar dialects of the Teutonic tongue. After their migrations to the westward of the Rhine, these varieties were increased and multiplied, and at length were exasperated into mutual animosities and distrusts. Dwelling apart between the Meuse and the Rhine, the Ripuarians preserved their primitive language from any foreign alloy, revered the traditions of their ancestors, perpetuated their ancient usages, and were constantly forming new relations, pacific or belligerent, with the tribes residing in the interior of Germany.

On the death of the first Clotaire, and the consequent partition of Gaul between his four sons, the contrast and the jealousies between these two chief Frankish tribes induced a

territorial arrangement, which ultimately brought them into a hostile attitude toward each other. An imaginary line was rudely drawn from the mouths of the Scheldt to near the sources of the Aube. The country to the west of that line acquired the name of Neustria; the country to the east of it the name of Austrasia. With no very material inaccuracy, Neustria might have been called Salian Gaul, and Austrasia Ripuarian Gaul. Before the end of the sixth century, they had become two distinct states, at once kindred and allied, rival and hostile to each other—kindred and allied, as the principal members of the great Frankish confederation—rival and hostile, as competitors for superiority over all the tribes of which it was composed. The military and political history of Gaul during the seventh century comprises little more than the record of the conflict between Neustria and Austrasia for that pre-eminence. It issued in the triumph of the Austrasians. They vanquished Western and Southern Gaul by the same means which had assured to Clovis and his followers the conquest of the Romano-Gallic province. It was, in fact, a second Germanic invasion. The untamed energy of the German race, continually recruited by new German auxiliaries, once again beat down the resistance of a people who, while advancing in the arts of civilized life, had declined in the hardihood, the courage, and the warlike discipline of their uncivilized progenitors. But the Austrasian conquest of Gaul was chiefly effected by the genius of that illustrious family, of which Pepin of Heristal was the first, and Charlemagne the second founder; nor is it difficult to estimate the nature or the strength of the influence which that circumstance exercised on the whole system of his political life and government.

Secondly. With such a descent Charlemagne was predisposed to what, in modern phraseology, would be called a "constitutional" policy; an expression which, however inapt and inappropriate, may stand in the place of a long periphrasis. Pepin of Heristal, though combining in his own person the real government, civil and military, over the whole of the Franco-Gallic state, had borne no higher title than that of Duke of Austrasia and Mayor of the Palace in Neustria and Burgundy. He had governed, not by material force, nor by the reverence of ancient superstition, nor by the influence of hereditary right,

nor by the fascinations which attend the pomp and majesty of the diadem. On the contrary, in Neustria and Burgundy, his strength consisted in propitiating the Franks by his habitual respect to the empty name, and to the faint shadow of royalty in the race of the long-haired Merovings. But in Austrasia he sustained his power by popular arts, and especially by reviving among the people the free assemblies of their German ancestors. This regard of Pepin of Heristal to what I have ventured to call *constitutional* habits, descended, as one of the traditions of his house, to Charlemagne.

Thirdly. Charlemagne inherited from Charles Martel, his grandfather, two other maxims, of what, in modern language, would be called foreign or diplomatic policy. Of these the one was, that the Frankish power could be maintained only by anticipating those invasions with which Gaul was again menaced by the barbarians who hung upon her frontiers, and by crushing them in their own fastnesses. The other was, that, in order to repel these threatened incursions, and to advance the ambitious prospects of the Carlovingian house, it was necessary to seek the alliance of such civilized states or potentates as could, in that age, be conciliated, either in Asia or in Europe. Charles Martel inculcated these lessons, not perhaps as formal precepts, but by a life of unremitting war and negotiation. Year after year he carried fire and sword among the Saxon confederacy, from the mouths of the Elbe to those of the Oder; and then rapidly passing to the south, he again and again encountered, repelled, and destroyed the Saracens. He entered into friendly relations with the King of Lombardy, with Leo the Isaurian and Iconoclast, and with the Pope; who, in gratitude to him as the deliverer of Europe, transmitted to him (so the ecclesiastical historians assure us) the very keys once borne by St. Peter, and the very cords with which the apostle had been bound during his imprisonment at Rome. Yet Charles Martel occupied no enviable place in the estimation of the churchmen of his age. In his Saracenic wars, he had maintained his army by a sacrilegious seizure and division of ecclesiastical property among his soldiers; and we read that, after the death of Charles, St. Eucharius announced that, while rapt into a state of visionary existence, he had himself been an eye-witness of the sufferings which that great conqueror was

undergoing, and would never cease to endure, as the punishment for his impiety. Other teachers, scarcely less eminent than St. Eucharius, solemnly affirmed the same fact. Nor were these monastic reveries as unimportant as they were idle. For,

Fourthly, from the experience of his father, and in no small degree, as it seems, from the terror excited by these legends, Pepin-le-Bref, the son of Charles Martel, adopted and transmitted to Charlemagne another maxim, still more valuable than any of those which had before been introduced into the hereditary code of their family. It was the maxim that the support of the Church was indispensable to the transfer of the Frankish diadem from the Merovingian to the Carlovingian race. Or, it may be said to have been the maxim, that, in order to encounter and subvert the reverence which was still yielded to a merely titular monarch, the supposed descendant of the gods, it was necessary to enlist on their own side religious feelings of a far deeper nature and of a much more solemn significance.

Pepin-le-Bref lived to establish and illustrate the truth of this opinion. Like his forefathers, he still exhibited, for the homage of the Franks, the phantom of a Merovingian king; though he judiciously selected for that purpose Childeric III., whose personal qualities were precisely those which would most surely provoke, and most completely justify, the contempt of his people. Like his father and grandfather, Pepin-le-Bref convened the national assemblies of the Franks with strict punctuality, and attended them with studious respect. Like his progenitors, also, he invaded the Saxons, the Allemanni, and the Bavarians; and courted the alliance of Constantinople and of Pavia. But in his relations with the Church he far exceeded all the examples of his ancestors. He afforded the most zealous support to Boniface, and to the other Christian missionaries in Germany. He not merely assigned a place in the national assemblies to the bishops and clergy of Gaul, but secured to them the highest rank and authority there. He made such atonement as was in his power for the sacrilegious spoliations of his father. He twice crossed the Alps to rescue Rome from the grasp of the King of Lombardy; and he conferred on the Pope and his successors that territorial dominion which, during one thousand successive years, has been the

bulwark of their independence and their power. In grateful acknowledgment of these services, the sentence of Pope Zachary, and the hands of Boniface, placed the crown of Childeric on the brows of Pepin; and while the last of the Merovingians sought shelter in a monastery, a papal anathema consigned to the most fearful of all punishments any one who should presume to dispute the title of the first of the Carlovingians to the kingdom of Gaul.

The political maxims which Charlemagne thus acquired by tradition and inheritance had, to a certain extent, become obsolete when he himself succeeded to the power of his ancestors, and to the crown of his father Pepin. It was then no longer necessary to practice these hereditary arts with a view to the great prize to which they had so long been subservient. But the maxims by which the Carlovingian sceptre had been won, were not less necessary in order to defend and to retain it. They afford the key to more than half of the history of the great conqueror from whom that dynasty derives its name. The cardinal points to which, throughout his long and glorious reign, his mind was directed with an inflexible tenacity of purpose, were precisely those toward which his forefathers had bent their attention. They were, to conciliate the attachment of his German subjects, by studiously maintaining their old Germanic institutions; to anticipate instead of awaiting the invasions of the barbarous nations by whom he was surrounded; to court the alliance and support of all other secular potentates of the East and West; and to strengthen his own power by the most intimate relations with the Church.

I have, however, already observed that Charlemagne had other rules or habits of conduct which were the indigenous growth of his own mind. It was only in a mind of surpassing depth and fertility that such maxims could have been nurtured and made to yield their appropriate fruits; for, first, he firmly believed that the power of his house could have no secure basis except in the religious, moral, and intellectual and social improvement of his subjects; and, secondly, he was no less firmly persuaded that, in order to that improvement, it was necessary to consolidate all temporal authority in Europe by the reconstruction of the Cæsarian empire—that empire, beneath the shelter of which, religion, law, and learning

had so long and so widely flourished throughout the dominions of imperial Rome.

Gibbon has remarked, that of all the heroes to whom the title of "The Great" has been given, Charlemagne alone has retained it as a permanent addition to his name. The reason may perhaps be, that in no other man were ever united, in so large a measure, and in such perfect harmony, the qualities which, in their combination, constitute the heroic character, such as energy, or the love of action; ambition, or the love of power; curiosity, or the love of knowledge; and sensibility, or the love of pleasure—not, indeed, the love of forbidden, of unhallowed, or of enervating pleasure, but the keen relish for those blameless delights by which the burdened mind and jaded spirits recruit and renovate their powers—delights of which none are susceptible in the highest degree but those whose more serious pursuits are sustained by the highest motives, and directed toward the highest ends; for the charms of social intercourse, the play of a buoyant fancy, the exhilaration of honest mirth, and even the refreshment of athletic exercises, require, for their perfect enjoyment, that robust and absolute health of body and of mind, which none but the noblest natures possess, and in the possession of which Charlemagne exceeded all other men.

His lofty stature, his open countenance, his large and brilliant eyes, and the dome-like structure of his head, imparted, as we learn from Eginhard, to all his attitudes the dignity which becomes a king, relieved by the graceful activity of a practiced warrior. He was still a stranger to every form of bodily disease when he entered on his seventieth year; and although he was thenceforward constrained to pay the usual tribute to sickness and to pain, he maintained to the last a contempt for the whole *materia medica*, and for the dispensers of it, which Molière himself, in his gayest mood, might have envied. In defiance of the gout, he still followed the chase, and still provoked his comrades to emulate his feats in swimming; as though the iron frame which had endured nearly threescore campaigns had been incapable of lassitude, and exempt from decay.

In the monastery of St. Gall, near the Lake of Constance, there was living in the ninth century a monk, who relieved

the tedium of his monotonous life, and got the better, as he tells us, of much constitutional laziness, by collecting anecdotes of the mighty monarch, with whose departed glories the world was at that time ringing. In his amusing legend, Charlemagne, the conqueror, the legislator, the patron of learning, and the restorer of the empire, makes way for Charlemagne the joyous companion; amusing himself with the comedy, or rather with the farce, of life, and contributing to it not a few practical jokes, which stand in most whimsical contrast with the imperial dignity of the jester. Thus, when he commands a whole levy of his blandest courtiers, plumed, and furred, and silken as they stood, to follow him in the chase through sleet and tempest, mud and brambles; or constrains an unhappy chorister, who had forgotten his responses, to imitate the other members of the choir by a long series of mute grimaces; or concerts with a Jew peddler a scheme for palming off, at an enormous price, on an Episcopal virtuoso, an embalmed rat, as an animal till then unknown to any naturalist—these, and many similar facetiæ, which in any other hands might have seemed mere childish frivolities, reveal to us, in the illustrious author of them, that native alacrity of spirit and child-like glee, which neither age, nor cares, nor toil could subdue, and which not even the oppressive pomps of royalty were able to suffocate.

Nor was the heart which bounded thus lightly after whim or merriment less apt to yearn with tenderness over the interior circle of his home. While yet a child, he had been borne on men's shoulders, in a buckler for his cradle, to accompany his father in his wars; and in later life, he had many a strange tale to tell of his father's achievements. With his mother Bertha, the long-footed, he lived in an affectionate and reverend intimacy, which never knew a pause except on one occasion, which may perhaps apologize for some breach even of filial reverence, for Bertha had insisted on giving him a wife against his own consent. His own parental affections were indulged too fondly and too long, and were fatal both to the immediate objects of them and to his own tranquillity. But with Eginhard, and Alcuin, and the other associates of his severer labors, he maintained that grave and enduring friendship, which can be created only on the basis of the most pro-

found esteem, and which can be developed only by that free interchange of thought and feeling which implies the temporary forgetfulness of all the conventional distinctions of rank and dignity.

It was a retributive justice which left Gibbon to deform with such revolting obscenities the pages in which he waged his disingenuous warfare against the one great purifying influence of human society. It may also have been a retributive justice which has left the glory of Charlemagne to be overshadowed by the foul and unmerited reproach on which Gibbon dwells with such offensive levity; for the monarch was habitually regardless of that law, at once so strict and so benignant, which has rendered chastity the very bond of domestic love, and happiness, and peace. In bursting through the restraints of virtue, Charlemagne was probably the willing victim of a transparent sophistry. From a nature so singularly constituted as his, sweet waters or bitter might flow with equal promptitude. That peculiarity of temperament in which his virtues and his vices found their common root, probably confounded the distinctions of good and evil in his self-judgments, and induced him to think lightly of the excesses of a disposition so often conducting him to the most noble and magnanimous enterprises. For such was the revelry of his animal life, so inexhaustible his nervous energies, so intense the vibrations of each successive impulse along the chords of his sensitive nature, so insatiable his thirst for activity, and so uncontrollable his impatience of repose, that, whether he was engaged in a frolic or a chase—composed verses or listened to homilies—fought or negotiated—cast down thrones or built them up—studied, conversed, or legislated, it seemed as if he, and he alone, were the one wakeful and really living agent in the midst of an inert, visionary, and somnolent generation.

The rank held by Charlemagne among great commanders was achieved far more by this strange and almost superhuman activity than by any pre-eminent proficiency in the art or science of war. He was seldom engaged in any general action, and never undertook any considerable siege, excepting that of Pavia, which, in fact, was little more than a protracted blockade. But, during forty-six years of almost unintermitted warfare, he swept over the whole surface of Europe, from the Ebro

to the Oder, from Bretagne to Hungary, from Denmark to Capua, with such a velocity of movement and such a decision of purpose, that no power, civilized or barbarous, ever provoked his resentment without rapidly sinking beneath his prompt and irresistible blows. And though it be true, as Gibbon has observed, that he seldom, if ever, encountered in the field a really formidable antagonist, it is not less true that, but for his military skill, animated by his sleepless energy, the countless assailants by whom he was encompassed must rapidly have become too formidable for resistance. For to Charlemagne is due the introduction into modern warfare of the art by which a general compensates for the numerical inferiority of his own forces to that of his antagonists—the art of moving detached bodies of men along remote but converging lines with such mutual concert as to throw their united forces at the same moment on any meditated point of attack. Neither the Alpine marches of Hannibal nor those of Napoleon were combined with greater foresight, or executed with greater precision, than the simultaneous passages of Charlemagne and Count Bernard across the same mountain ranges, and their ultimate union in the vicinity of their Lombard enemies.

But though many generals have eclipsed the fame of Charlemagne as a strategist, no one ever rivaled his inflexible perseverance as a conqueror. The Carlovingian crown may indeed be said to have been worn on the tenure of continual conquests. It was on that condition alone that the family of Pepin of Heristal could vindicate the deposition of the Merovings and the pre-eminence of the Austrasian people; and each member of that family, in his turn, gave an example of obedience to that law, or tradition, of their house. But by none of them was it so well observed as by Charlemagne himself. From his first expedition to his last there intervened forty-six years, no one of which he passed in perfect peace, nor without some military triumph. In six months he reduced into obedience the great province or kingdom of Aquitaine. In less than two years he drove the Lombard king into a monastic exile, placing on his own brows the iron crown, and with it the sovereignty over nearly all the Italian peninsula. During thirty-three successive summers he invaded the great Saxon confederacy, until the deluge of barbarism with which they threatened South-

ern Europe was effectually and forever repressed. It has been alleged, indeed, that the Saxon wars were waged in the spirit of fanaticism, and that the vicar of Christ placed the sword of Mohammed in the hands of the sovereign of the Franks. It is, I think, an unfounded charge, though sanctioned by Gibbon and by Warburton, and by names of perhaps even greater authority than theirs. That the alternative, "believe or die," was sometimes proposed by Charlemagne to the Saxons, I shall not, indeed, dispute. But it is not less true that, before these terms were tendered to them, they had again and again rejected his less formidable proposal, "be quiet and live." In form and in terms, indeed, their election lay between the Gospel and the sword. In substance and in reality, they had to make their choice between submission and destruction. A long and deplorable experience had already shown that the Frankish people had neither peace nor security to expect for a single year, so long as their Saxon neighbors retained their heathen rites, and the ferocious barbarism inseparable from them. Fearful as may be the dilemma, "submit or perish," it is that to which every nation, even in our own times, endeavors to reduce a host of invading and desolating foes; nor, if we ourselves were now exposed to similar inroads, should we offer to our assailants conditions more gentle or less peremptory.

He must be a resolute student of history who, on investigating the progress of the conquests of Charlemagne, is neither deterred nor discouraged by the incoherence of the narrative, the complexity of the details, or the difficulties, both of geography and chronology, which beset his way. The labyrinth can, indeed, be rightly understood only by those who have patiently trodden it; yet some clew to the apparently inextricable maze may be found in a brief review of the causes which were constantly working out the success of the conqueror.

First. Not only each of his wars, but each of his campaigns, was a *national* act. At Easter in every year he held a great council of war, at which all the Austrasian, and many of the Neustrian bishops, counts, viscounts, barons, and leudes attended. They followed their king into the field with confidence and enthusiasm, because it was always in prosecution of an enterprise which, though suggested by his foresight, had been adopted with their consent, and sanctioned by their acclamations.

Secondly. In all his wars, Gaul afforded to Charles an invulnerable basis for his military operations. From Gaul he invaded every part of Europe, leaving behind him both an exhaustless magazine of men and arms, and, in case of disaster, a secure and accessible retreat.

Thirdly. Availing himself of the knowledge of his Gallic and Lombard subjects, Charlemagne had effected great improvements in the mere material of war. His Franks were no longer a bare-legged and bare-headed horde, armed with the old barbaric lance and short sword, or defended by a round, wicker-worked shield, fenced by skins. They now bore the long Roman buckler and a visored helmet, and were armed with the pilum, with a long-pointed, two-handed sword, and with that heavy club shod with iron knots, which, if we believe the romance of Turpin, was in special favor among clerical combatants, because it enabled them to slay their enemies without contracting the guilt of shedding blood. The Paladins, celebrated by the same warlike prelate, divided, as we know, with their steeds the glory of their achievements, the two being reputed to be almost as inseparable as in the Centaur; a legend which had its basis in Charlemagne's habit of mounting his cavalry on horses of prodigious power, bred in the pastures of the Lower Rhine.

Fourthly. If not a master of the art of war, he was far removed in this respect from the barbaric chiefs who first led the Salian and Ripuarian hordes into Gaul. With Rome and Roman examples ever before his eyes, he knew, as I have indeed already observed, how to move his armies in separate corps, at once detached and connected; and with unerring geographical knowledge was able always to direct his blows at the vulnerable points of the various countries which he successively invaded.

Fifthly. Imitating the policy of Cæsar, and anticipating that of Napoleon, Charlemagne made war support itself. Neither in his capitularies, nor in the chronicles of his reign, is there any proof or suggestion that his troops ever received or expected any pay or military allowances. War was at once their duty, their passion, and their emolument. In that age every proprietor of land, allodial or beneficial, equipped, armed, and mounted his own followers; and companies, regiments, or battalions were but so many gatherings on the field of those

who were accustomed to live in the immediate vicinity of each other as leudes, as free husbandmen, or as coloni.

Sixthly. Charlemagne borrowed from Rome, and transmitted to the modern Emperor of the French, the example of making each new conquest the basis for a farther acquisition. He constrained the vanquished Lombards to march under his standard against the Saxons and the Bavarians, and to assist at the sieges of Barcelona and Pampeluna. In every nation which he subdued, he found or made recruits for the subjugation of some yet unconquered people; and taught more than half the European world to exult in the successes of a monarch who had first triumphed over themselves.

Seventhly. In his campaigns in Spain, in Lombardy, and in Aquitaine, Charlemagne may be said to have contended with the *superstratum* of society, and to have availed himself of the alliance of the *substratum*. The old Iberian, Gothic, and Italian populations regarded him as the antagonist of the dominant Saracens in the one peninsula, and of dominant Lombards in the other. To divide and conquer was, indeed, his unfailing maxim in whatever country he invaded, as often as he found the inhabitants of it already separated from each other by religion, language, or traditions; by public, social, or domestic customs; in short, by any of the distinctions which promote and exasperate international animosities. In this respect, Charlemagne at Barcelona or Pavia was the exact prototype of Napoleon at Milan or at Warsaw.

Eighthly. Charlemagne is among the most memorable examples of the union in the same mind of the most absolute reliance on its own powers, and of the most generous confidence in the powers of his subordinate officers. Such was the continuity and the promptitude of his own military movements, that, in studying them, one is tempted to assign to the railroad an existence a thousand years earlier than the birth of George Stephenson. So important were the commands which he intrusted to his lieutenants, that, on reviewing them, one is tempted to imagine that the great conqueror himself was accustomed to luxuriate in the repose and enjoyments of his palace at Aix-la-Chapelle. It is difficult to say which of the two suppositions would be the more erroneous.

Finally. The establishment of the vast empire over which

Charlemagne reigned during almost half a century is to be ascribed chiefly, and beyond all other causes, to the character he sustained as the ally and champion of the Church. I will not now anticipate the subject of a future lecture, but, waiving for the present all higher and all more recondite considerations, I limit myself to the remark that, in an age in which all the other elements of human society were in discord, the Church, and the Church alone, maintained a unity of opinion, of sentiment, of habits, and of authority. On that unity, the great basis of her own spiritual dominion, the Church enabled Charlemagne to erect the edifice of his temporal power; while he, in turn, employed that power in the defense of her rights and in the extension of her authority. Disastrous as that alliance may have been to some of his successors in the German empire, it was to himself the main pillar and buttress of his state; as it might have remained to future ages, if the heirs of his crown had also been the heirs of his wisdom.

The marvelous series of events of which I thus recapitulate the main causes, may be studied in the Annals of Eginhard and in his Life of Charlemagne, in the Chronicle of St. Denys, and in the Saxon poet published by the Benedictines; or, if that labor be too repulsive, they may be read (though not with equal interest) in the history of our own countryman and contemporary, Mr. James. But, to be seen in all the vivid coloring in which former ages contemplated them, they must be surveyed in the works of a much more amusing, though far less authentic series of writers—in the romance of Lancelot, in the Gesta of William the Short-nosed, in the legend called Philomela, in Turpin's Chronicle, in Pulci, in Boyardo, and, above all, in the Orlando Furioso, where genius, in the exercise of her legitimate despotism, has inverted the whole current of history, changing Charles, the Glorious and the Wise, into an enchanted knight, surrounded by his paladins, and elevating to the seventh heaven of chivalry his kinsman Rolando, of whom history knows only that he fell before the treacherous Gascons at the pass of Roncesvalles. Yet Poetry, amid all her wildest fictions, has in these legends perpetuated the record of one great and memorable truth—the truth, I mean, that the contemporaries of the great conqueror and their descendants, to remote generations, cherished the traditions of his mighty

deeds with enthusiastic delight, and lavished on his memory every tribute which either history could pay or imagination offer.

And yet they who lived in his own age appear to have been impressed by the grandeur of his foreign and domestic policy even yet more than by the magnitude of his warlike achievements. The sources of this illusion (for such I conceive it to have been) may be discovered with no great difficulty. At that period the imagination of mankind was in bondage to the three venerable or splendid thrones which represented the Papal, the Imperial, and the Mohammedan dynasties. The successors of Peter, of Cæsar, and of Mohammed divided between them the homage of the world; and Charlemagne aspired to wear the united diadems of Rome and Constantinople, to govern the papacy, and to obtain the alliance and support of the Califate. He thus sought to combine, in his own person, all the titles to all the reverence which the men of his generation yielded to power, whether royal or sacerdotal; and though the enterprise was not really successful, the magnitude and audacity of the attempt was not unrewarded by a large share of the admiration for which he thirsted.

Pope Stephen I. had crowned and anointed Pepin-le-Bref. The second pope of that name was indebted to the son of Pepin for his personal safety, and for the extension of the papal dominions. Adrian, who sat in the apostolic chair during twenty-two years, received from Charlemagne a renewal and an extension of the same benefits, and manifested his gratitude by placing the Lombard crown on the brows of his benefactor. Thenceforward the Frankish king and the successor of St. Peter lived together rather as personal friends than as political allies. Charles became the protector of Adrian against all his enemies, whether Greek, or Saracen, or Italian. Adrian became the zealous guardian of the rights of Charles within the Italian peninsula. The letters of the pope to the king are such as in our days an embassador or a viceroy might address to the sovereign whom he represents in some distant state or province. At one time he congratulates the conqueror on his victories; at another, he transmits to him martyrs' bones and consecrated banners, or invokes his aid against the invaders of the papal territory, or solicits his personal presence at Rome, or entreats

that delegates may be sent to represent him there, or asks an augmentation of the ecclesiastical territories, or requests that materials may be sent to him for reconstructing the Cathedral of St. Peter; but, whatever may be the occasion, the language of the pontiff is still that either of a subject addressing his prince, or of a patriarch accosting a much-loved disciple and much-honored friend. That the attachment was sincere and mutual, it would be a gratuitous skepticism to doubt. Though he could not write his own language, Charles could dictate Latin verse; and, on the death of Adrian, he composed for him an epitaph, which was engraven in letters of gold on his tomb, and long attested the remembrance and the regrets of his surviving associate. For the following extract from this imperial elegy, I am responsible only so far as relates to the accuracy of the quotation.

> Post patrem lacrymans, Carolus hæc carmina scripsi;
> Tu mihi dulcis amor, te modo plango pater.
> Nomina jungo simul, titulis clarissima, nostra
> Adrianus, Carolus; rex ego, tuque pater.

Leo, the successor of Adrian, was exposed to the ill will and the persecution of the Roman populace, and he therefore riveted yet more strongly the bonds which united the papal and the Frankish powers. Crossing the Alps, he sought and obtained the protection of Charlemagne against the turbulence of the city; and requited his protector by hailing him with the titles of Cæsar, and Imperator semper Augustus—titles so long unheard, but so indelibly engraven on the memory and the imagination of mankind.

Nor was this the unforeseen result of any sudden impulse. The elevation of the Frankish king to the imperial dignity must have been preconcerted with Leo during his residence in Germany, if not with Adrian, at an earlier period. M. Guizot, indeed, regards it as the step at which Charlemagne first deviated from a patriotic into a selfish policy, and, therefore, as the step from which commenced the decline of the Carlovingian power. The apologist of the monarch might answer, and perhaps justly answer, that though conquest was the inevitable basis of the Austrasian throne, it is a basis on which no throne can be long securely rested; that it therefore behooved Charles to sustain his material power by those moral powers

which are the indispensable condition of all enduring dominion; that the moral powers within his reach were imagination and reverence—imagination to be enthralled by the reviving image of the Cæsars, reverence to be conciliated by the combination of whatever was most illustrious in secular history with whatever was most sacred in ecclesiastical traditions; that the union which he formed between the Church and the State seemed, therefore, to promise to the crown the support of the holiest sanctions, and to the tiara the aid of the firmest political power; that, so long as that union endured, this promise was actually fulfilled; that when it was at length dissolved, both the Church and the State were plunged into an anarchy, which, at the end of more than a hundred years, issued in the Feudal and the Papal despotisms; and that, however much the hopes with which the empire was revived were frustrated, it was on that revival alone that any foundation of hope could, in that age, have been discovered by the most penetrating foresight, animated by the most ardent philanthropy.

The apologist of Leo and of Charles, if he be discreet, will not, however, deny that hope sometimes elevated them into that visionary world, into which perhaps all of us too often seek to escape from the tame possibilities of our actual existence. We may, indeed, receive with some distrust the story of the intended marriage of the Western emperor and of Irene, the empress of the East—a marriage by which all the dominions of Constantine and all the fold of St. Peter were to be once more united under their respective heads, secular and ecclesiastical. But it can hardly be doubted that such a restoration of the imperial and of the papal dynasties to their original extent of authority was the subject of solemn and even of serious debate between the Roman, the German, and the Byzantine courts; and that the betrothment of Constantine Porphyrogenitus, the son of Irene, to Bertha, the daughter of Charles, was intended to lay the foundation of it.

The embassy on this subject, which was dispatched to Aix-la-Chapelle by Nicephorus, who deposed and succeeded Irene, has supplied the Monk of St. Gall with some of the amusing incidents which it is his delight to describe, and which would be ill exchanged for much of the information with which graver historians so often instruct and fatigue their readers. Envoys

from the Frankish monarch had, it seems, received a cold and discourteous entertainment from Nicephorus at Constantinople. Charles, therefore (if we may believe the garrulous monk), avenged his injured dignity by providing the Greek embassadors with guides through the Alps, who were directed to conduct them along the wildest passes and the most tedious routes. The Greeks, accordingly, reached Germany with their persons, dress, and equipage in the sorriest plight imaginable. On their arrival, Charles is said to have had them introduced to four of his chief officers in succession, each arrayed in such splendid apparel, and attended by so large a retinue, as to induce the bewildered envoys to render four times over to his servants a homage which they could not pay, except to his own imperial person, without a great loss of dignity; until at length (so runs the chronicle) they stood in the presence "of the most illustrious of kings, resplendent as the rising sun, glittering with gold and jewels, and leaning on the arm of the very man whom their master had presumed to treat with disrespect."

It happened to be the festival of the Circumcision; and the Greeks had brought with them (says the monk), as a present, a musical instrument which, by means of brazen tubes and bellows of ox hides, produced sounds alternately as solemn as the thunder and as gentle as the lyre. Singing in their own language the psalms appropriated to that holy season, they were overheard by Charles, who, enraptured by the sacred harmonies, commanded his chaplains to eat no bread till they had laid before him a Latin version of those beautiful anthems. He had mortified the effeminacy and retaliated the rudeness of his Greek allies, but he enthusiastically felt and acknowledged the charms of their superior civilization. Nor was their embassy ineffectual. The dreams of reuniting the East and the West had indeed fled with the deposition of Irene; but her successor formally acknowledged the Austrasian monarch not merely as Rex, or Basileus, but as Imperator also; and concurred with him in tracing the line which separated their respective empires in Italy, on the banks of the Danube, and on the shores of the Adriatic.

A sovereign of far wider renown than Nicephorus, even Haroun al Raschid, the hero of so many of the thousand and one nights, had, during his war with the Byzantine empire, sought

the alliance of the Franks, who were then in arms against the same power. The Monk of St. Gall is again the entertaining historian of the embassy which explored the almost unknown world interposed between the calif in Persia and the emperor at Aix-la-Chapelle. The reception of his Mussulman guests, the banquet, and the chase provided for their amusement, their hyperbolical raptures and compliments, and the amenity with which Charles received the indiscreet freedoms into which good cheer betrayed them, are all delineated with the hand of a painter. From less amusing authors we learn that the calif bound himself to succor all Christian pilgrims resorting to the Holy Sepulchre, and to protect all Frankish merchants in the prosecution of their affairs in Syria. The alliance between Charlemagne and the commander of the Faithful was, indeed, opposed by no very serious impediments. Their empires were nowhere conterminous; nor, except on the ground of their religious differences, had those sovereigns any motive for mutual hostility. And, even in that remote and superstitious age, sympathy of character and a palpable identity of interests were of more power to unite the rulers of the world than conflicting creeds were of power to alienate them from each other. To the sentiment of mutual admiration, Charles and Haroun added the knowledge that, to curb the Greeks in the East, and to weaken the Saracens in the West of Europe, were the common objects of the policy of each; and on that basis they entered into friendly relations, which, cemented by an occasional interchange of diplomatic courtesies, and disturbed by no jealousies on either side, continued in force until both the Arabian and the Frankish sceptres had passed into other hands than theirs.

Of that inevitable change, as indeed of the other limits which must circumscribe all human greatness, Charlemagne seems to have been habitually forgetful. It was not enough to have established peace in his hereditary states—to have invented a new art or system of war—to have acquired an empire as extensive as that of Honorius—to have triumphed in sixty campaigns over all its enemies—to have formed alliances extending throughout the whole civilized world—and to have made the Catholic Church herself his tributary. He must enter into a conflict with the nature of man himself, concen-

trating all power in his own person, and ruling all the provinces of his vast dominion in the spirit of an indiscriminating and inflexible uniformity. The same impatience of the tardy growth of national institutions, the same desire to produce at once magnificent and harmonious results, and the same pride of conscious superiority which animated Charlemagne, has taken possession of almost each in turn of the great founders of the dynasties of our world. In each of them it has been ineffectual. The passion to concentrate and to assimilate has ever been opposed by the same insuperable obstacles; and the mightiest human authority has at last been compelled to obey that public will, of which itself is, in reality, but the creature and the agent.

Thus Charlemagne was an Austrasian, and consequently could not extricate himself from the bonds by which the traditionary maxims of Germany restrained the powers of the German monarch. They regarded him as a Kyning, not as an Autocrat; and, therefore, he could not enact laws for their government without the concurrence of the national assembly. Even *with* their concurrence it was not really in his power to legislate in any other than the Teutonic spirit. It was under the coercion of these fetters, and of many others such as these, that Charlemagne promulgated his vast collection of Capitularies; the imperishable monument of his stupendous activity, and the yet living picture of society, whether ecclesiastical, political, military, civil, or moral, of the age which gave them birth. M. Guizot has analyzed the contents, and explained the structure and principles of this code with such a compass of learning, and with such an affluence and profundity of thought, as might seem to render any farther elucidation of it superfluous, if not impossible. I shall venture, however, to touch on some of those more important details, for which no proper place could have been found in a survey made from the commanding heights of political philosophy on which that great writer is accustomed to take his stand, and from whence the lower world is contemplated in a light which occasionally loses in distinctness what it gains in breadth and brilliancy.

In a celebrated passage from Hincmar, which is transcribed at length by M. Guizot, and referred to by all the other authorities, we have the authentic record of the constitution and of

the habitual proceedings of the Legislature of the Franks. It describes the gatherings of the bishops, dukes, counts, viscounts, and leudes at each autumn to consider, and at each spring time to adopt, such measures as the exigencies of the state required. From the same source we learn that, though Charles himself seldom assisted in person at these deliberations, he possessed and exercised at them all the real initiative, and that these synods, courts, parliaments, or councils of war (for they were each in turn) had thus much in common with the parliaments held in far distant times in Paris; that, like them, they met rather to accept and record the decisions of the sovereign, than to anticipate or suggest measures of their own.

All the French commentators on the history of their own country are amazed at the incoherence of the Carlovingian capitularies, where enactments on every imaginable subject follow each other in a succession so arbitrary, that it might seem to have been suggested by caprice, or dictated by chance. He, however, who is conversant with the early volumes of our own statutes at large, is familiar with a similar phenomenon, and with the cause of it. In the times of our Plantagenets, all the petitions of Parliament to the sovereign were presented to him at the end of each session in their chronological order; and, when his assent was obtained, they became collectively what was, and is still, regarded as a single statute. Now, suppose the same course to have been followed with the three or four hundred acts of Parliament of the year 1849, and farther suppose them to have been published without the typographical aid of chapters, numerals, titles, sections, marginal abbreviations, and so on; and then the statute 11 and 12 Victoria would rival in incongruity and incoherence any of the statutes of Edward I., or any of the capitularies of Charlemagne.

The Legislature of England, however, was not accustomed to confound the province of the law-giver with that of the moralist in the same manner, or to the same extent, as those clerks in holy orders who drew up the enactments of the Champs de Mai, and who took the opportunity of infusing into them various maxims of virtue, and no less frequent exhortation to the practice of it. Yet some trace of a similar habit still lingers in the dogmatic preambles which so often introduce our acts

of Parliament; and the Frankish custom had at least the advantage of keeping alive the remembrance of the union which ought to be indissoluble between the eternal principles of morality and the fluctuating exigencies of positive law.

To reduce the Carlovingian code to any digested form, like that of Justinian or Theodosius, is abandoned as a hopeless task by all commentators, and especially by M. Guizot, who, of all of them, has most strenuously wrestled with the difficulty. For our immediate purpose it will be enough to say, that all the more important of the capitularies of Charlemagne may be classed under the five heads of ecclesiastical, military, penal, administrative, or organic laws; and that, under each of those heads, they exhibit the same propensity to centralize and assimilate—a propensity ever active, but ever kept in check by the combined powers of public opinion and of national customs.

First. The capitularies of 769 and of 779 are wholly or chiefly composed of *ecclesiastical* canons; and the assemblies by which they were enacted are accordingly enumerated by the Benedictines among the councils of the Gallican Church. Yet these laws purport to be promulgated by "Carolus, Dei gratiâ rex regnique Francorum rector, et devotus Sanctæ Ecclesiæ defensor; atque adjutor (in omnibus) Apostolicæ Sedis." He is, indeed, represented as acting on the advice of the council of the bishops and the other clergy, but also as acting on the advice of his "fideles" also. To be legislator for the Church as well as for the State was essential to the unity and universality of his power; and, as the papal monarchy was still only in embryo, the Church would seem to have acquiesced, or, rather, to have rejoiced in the usurpation.

Secondly. In the capitularies of the year 807 occur the most memorable of the *military* laws of Charlemagne. They required every owner of a benefice to march against the enemy; they enjoined the attendance on the army of every man possessed of not less than three mansi; but of two men, each possessing only two mansi, or of three men, each possessing a single mansus, one only was to serve. The counts were required to present themselves at the Champs de Mai, with their vassals and their chariots. Each defaulter was to pay a fine or escuage of sixty sous. If the offender held any dignity or

office under the crown, a fast of a certain number of days was to be the penalty of his absence or delay; and, finally, each soldier was to provide himself with rations, arms, and clothing for three months. From these enactments, it appears therefore, first, that the conscription was not a novelty of the age of Carnot and Napoleon; and, secondly, that military service did not become the condition of the tenure of lands, for the first time, under the feudal system; and, lastly, that the same vigorous arm which held in subjection the depositaries of religious and moral power, was able to control, with at least equal energy, the physical or material forces of the empire.

Thirdly. But when Charlemagne would regulate the state of his people in relation to their property, and their obligations to himself or to each other, the spirit of centralization and uniformity was opposed by an antagonistic spirit, with which not even he could successfully contend. Each of the nations over whom he ruled possessed its own code, and each of his subjects could, at his pleasure, transfer his allegiance from one to another of those systems of national law. The invasion of this privilege would have been made at the imminent hazard, or rather at the certain sacrifice, of the dominion of the innovator. In the *penal* capitularies of 803 may therefore be traced at once the endeavor to amend the Frankish, Gallic, Lombard, and Saxon laws, and the impediments which rendered that attempt ineffectual. Though aided by all the knowledge, religious and secular, of his learned associates, Charlemagne was constrained to legislate for his people in the spirit of his Salian and Ripuarian ancestors; not superseding their codes, but completing them; leaving the law personal, not local; and adhering to the barbarous system of regarding crime, not as a wrong to society at large, but as an injury to the individual sufferer; not as an offense to be punished by the state, but as a damage to be compensated by pecuniary composition.

Fourthly. In his *administrative* capitularies, Charles combined the imperial spirit, which acknowledges no division of authority, and tolerates no departure from a prescribed model, with the barbaric spirit which governs an empire and a private household with the same microscopic vision. Gibbon has derided the Carlovingian legislation about the royal eggs and

poultry. Nor is it possible to deny, or easy to exaggerate, the whimsical contrast which the great capitulary *de Villis*, of the year 800, presents to the usual style of the edicts of sovereign princes. Yet the critic ought not to have concealed that this capitulary was a great fiscal law, regulating, in the most minute details, the management of the estates from which the charges of government were principally defrayed, and the splendor of royalty was chiefly supported. A barbaric splendor, it is true; a splendor like that of some Homeric chief presiding at a table which a whole battalion of cooks had supplied for a host of voracious guests, as indomitable at the board as in the field. But no document of that age exhibits with equal clearness either the habits of social life, or the exactness of the care with which Charlemagne surveyed the whole compass of his administration, domestic as well as public; or the solicitude with which he labored to reduce to one uniform system the most insignificant, as well as the most important, of the functions which he confided to his subordinate officers.

Fifthly. Two years later, that is, in the year 802, he promulgated the most remarkable of all his capitularies. It is that which regulates the functions of the officers called missi dominii, and which, therefore, belongs to that class of laws which I have distinguished as *organic*. The duty, or rather the prescribed duty, of the missi dominii was to traverse every province of the empire, to represent the person and to wield the delegated authority of the emperor, to redress all grievances, and to punish all offenders in his name, and annually to report to him what were the wants and what the condition of every class of his people. They were to be the organs and the ministers of a great central power, of which the sovereign himself was to be the one superintendent. They were to infuse unity of spirit and of system into the disjointed members of an empire of vast extent, peopled by nations in every gradation, from the barbarism of Saxony to the comparative civilization of Southern Italy. No interest was so extensive, none so minute, as to lie beyond the range of their inquiry and intervention. The law itself, and the instructions issued in pursuance of it, remain as a monument of unrivaled vigilance, circumspection, and jealousy, and indicate a strange impa-

tience of the narrow limits of the human understanding, and an insatiable thirst for powers more than human.

It is only when regarded in this light that this celebrated law appears to me to merit its celebrity. I am aware of no proof that it was ever reduced into practice, except in a very few particular cases; nor do I perceive any reason for believing that it was even really practicable. It presupposes a facility of internal communication and intercourse between different parts of the empire—an organization of the various departments of the government—a distribution of forces civil or military—an habitual obedience to the royal or imperial authority—and a central establishment for the revision of the reports of the commissioners, and for giving effect to their advice, such as scarcely exists at the present moment in any of the great commonwealths of modern Europe. That such a law should have been really executed would have been little less than a miracle. That in the days of Charlemagne there should have been found counselors to devise, and a prince to promulgate, so complex and comprehensive a scheme of internal administration, is, however, a fact of very deep interest, as exhibiting the progress which, even in that age, had been made by statesmen in the art destined to so strange a perfection in future ages—the art of Eutopian legislation.

And wonderful, indeed, was the assemblage, and marvelous the intellectual culture of the great men to whom, without any injustice to Charlemagne, we may ascribe the conception as well as the compilation of those voluminous laws which bear his name. Eginhard, Hincmar, Alcuin, John Erigena, and many others, not unworthy to be associated with them, had, in fact, converted the court of Aix-la-Chapelle into an academy, the seat of many noble studies, and among them of the study of civil polity. Plato and Aristotle had hardly reached them except in the faint reflection of their Latin imitators. But those great scholars of the eighth and ninth centuries, like the great scholars of earlier and of later ages, delighted in ideal reconstructions of human society; yet with this peculiarity, that *they* inscribed their day-dreams, not on fugitive leaves for the amusement of the studious, but in solemn enactments for the government of mankind. They were, however, the grand conceptions of the noblest intellects which then occupied them-

selves about human affairs. Their political philosophy may have been visionary; but in their own more appropriate sphere of diffusing literature, science, art, morals, and religion among their contemporaries, they received from Charlemagne such aids, and have conferred upon his reign and his memory such glories, as it has severely taxed the learning even of the Benedictines to illustrate. With their aid, I hope on some future, though perhaps distant, occasion to bring under your notice an outline of those labors. When we next meet, I propose, however, to inquire into the causes which so rapidly subverted that splendid imperial edifice, of the foundation of which I have thus attempted to lay before you a rapid and most imperfect outline.

Nov. 24-1852

LECTURE IV.

ON THE DECLINE AND FALL OF THE CARLOVINGIAN DYNASTY.

In pursuance of the plan which I announced at the commencement of these lectures, I proceed to inquire, What were the causes of the transfer of the dominion of France from the Second Dynasty to the Third, from the lineage of Pepin to that of Hugues Capet?

The great aim and glory of the life of Charlemagne had been the revival of the empire of Rome in an intimate alliance with the Church of Rome. This was still the dominant idea of his mind at the approach and in the contemplation of his death. It was, indeed, an illusion to believe that the world was ripe for such a design. It was perhaps a still greater illusion to suppose that his own children were qualified to accomplish it. But it was a conviction worthy of his foresight, that his restored empire, at once Roman and Catholic, could be maintained (if at all) only by making great sacrifices, and by incurring still greater risks; that dominions so vast and incoherent could be governed (if at all) only by the intervention of viceroys, acting in his name and representing his person; and that a trust so critical would be most safely reposed in those who were bound to him by the strongest ties of interest and of nature. In the undiminished vigor of his mental and

bodily health, Charlemagne therefore raised his three sons to the royal dignity; committing the kingdom of Aquitaine to Louis, the kingdom of Germany to Charles, and the kingdom of Italy to Pepin. The word "King," in that age, however, corresponded not so much with the same word in our modern use of it, as with the title of general or commander-in-chief The three royal sons of Charlemagne acknowledged their subordination to himself as their emperor, bowed to his commands as their father, and silently acquiesced in the rebukes which, in the one or the other capacity, he not seldom addressed to them.

Having survived both Charles and Pepin, Charlemagne transferred the Italian crown to Bernard, the son of Pepin, and associated to himself, as his colleague in the empire, Louis, king of Aquitaine, better known in history by his title of Louis le Debonnaire. When, on the death of Charlemagne, Louis succeeded to the undivided possession of the Carlovingian empire, Bernard, the son of his elder brother, took up arms in defense of his title (perhaps his superior title) to that splendid inheritance, and perished in the attempt.

Following the example of his father, Louis le Debonnaire made three successive partitions of the empire among his children. To Louis, known in history as Louis the Germanic, he assigned the kingdom of Bavaria; to Pepin, the kingdom of Aquitaine; and to Lothaire, first, the kingdoms of Italy and Gaul, secondly, the whole of Germany (except Bavaria), and, thirdly, a participation in his own imperial crown and dignity. On the subsequent birth of Charles, his fourth son (afterward called Charles the Bald), by Judith, his second wife, Louis le Debonnaire created in his favor, and at the expense of Lothaire, a kingdom composed of Suabia, of Switzerland, and of the Grisons, which was called "the kingdom of Germany."

I do not affect to state these territorial divisions with precise accuracy; nor with a view to my immediate purpose is such exactness necessary. It is enough to have explained the general nature of the measures by which Louis le Debonnaire attempted at once to retain to himself a supremacy over the whole empire, and to place each of the four great component members of it under the government of a distinct, though subordinate sovereign. The military and political history of

France during the rest of his reign records little else than the civil wars to which these partitions gave the occasion or the pretext. If we advert only to the motives of the belligerent princes, this protracted contest will appear a merely selfish struggle for power, originating in the jealousy with which the fortunes of Charles the Bald were regarded by his brothers. If we advert to the motives which animated the Gallic, the German, and the Italian nations to follow their standards, this long and sanguinary warfare will assume a higher and more enduring interest.

During the reign of Charlemagne, the relations between Gaul and Germany had undergone a silent, but a total change. He was himself, in the fullest sense of the word, a German. His habits, tastes, and pursuits, his favorite associates, his chosen residences, and his imperial policy, were all Teutonic. His house was indebted to German warriors for its elevation. From the German race he selected his chief officers, civil, military, and ecclesiastical. Germany was thus at once the basis and the seat of his empire.

During the same period, Gaul had descended from metropolitan to provincial rank. The Gallic people no longer constituted the military strength of their sovereign; they no longer exercised a predominant influence in his councils; they ceased to receive the principal, or even an equal share, in the honors and emoluments at his disposal. The ancient conflicts between the Neustrian and the Austrasian kingdoms were falling rapidly into oblivion. They were superseded by other, by more important, and more enduring rivalries. The Rhine now separated two nations who were united to each other only by their common subjection to the same crown, but were disunited by conflicting interests, prejudices, and opinions. As if at once to indicate and to increase this disunion, either people accepted or assumed new national designations. Hitherto they had both borne the common name of Franks. To the inhabitants of Gaul, north of the Loire, it was a name which the traditions of three centuries had rendered venerable and attractive. They therefore gave to that territory the title of Francia, and to themselves the name of François or Frenchmen. But the Franks on the right bank of the river regarded themselves only as one of those many

nations comprised within the dominions of Charlemagne, which were collectively designated by the comprehensive and appropriate name of Germans. Louis le Debonnaire was not the emperor of the Franco-Gallic people, that is, of Franks and of Gauls united by national sympathies. He was the emperor of the French and of the Germans; that is, of two populations alienated from each other by national antipathies.

When, therefore, the three eldest of the sons of Louis plunged into a series of civil wars with their father and with each other, to gratify their selfish ambition, they were able to rouse their subjects to arms by appealing to motives both more profound and more elevated than their own. The component members of the empire of Charlemagne had become impatient of the bonds which held them together. The French, the Italians, the Aquitanians, and the Burgundians, resented their subordination to a remote and foreign metropolitan power, and saw in the banners of their youthful kings the standards of their national independence. On the other hand, Louis, the son and heir of Charlemagne, appeared to the Germanic people as the champion of German ascendency; and that people gathered round him to maintain his dominion over provinces which they had so long considered as tributary to his crown, and as standing in a kind of inferior relation to their own father-land.

The nations of Europe, therefore, drew the sword, not to promote the selfish purposes of their respective sovereigns, but to maintain a great general principle. No spectacle can be more revolting than the civil wars of Louis and his sons, if viewed in the light in which those princes regarded them. No conflict can be imagined in which the magnitude of the object better atoned for the fearful sacrifices by which it was accomplished, if viewed in the light in which the actual combatants regarded them. The French and the Italians may be said to have composed two patriotic hosts, under the command of two parricidal leaders.

After rending asunder the dominions of Charlemagne into their three chief component parts, these centrifugal forces, still retaining their activity, though changing their direction, began to resolve each of those three divisions into the elements of which it was mainly composed. Thus, in the territories

comprised within the limits of ancient Gaul, the Bretons, the Aquitanians, the Provençaux, the Burgundians, and the people of Lorraine, each in turn extorted from Charles the Bald, or from his successors, the recognition of the royal character and authority of their respective kings or dukes. It was not, indeed, an authority which rejected all dependence on the King of France. In some indefinite sense he was still regarded as the superior and liege lord of such of those provincial monarchs as reigned within the limits of his kingdom. But his own proper and undisputed dominion lay within that region of which the Meuse is the northern, and the Loire the southern boundary. There, surrounded by these new Gallic states, at once subordinate and hostile to him, at the same time his allies and his rivals, he ruled over the territory which was even then regarded as the seat and centre of the Gallic power, and which was destined to ascend through long ages of toil, of disaster, and of war, to an absolute supremacy over all the states among which Gaul was for the present dismembered.

I formerly observed, that the coincidence between the fortunes of the two first French dynasties was too remarkable to have been fortuitous; that, during the five centuries over which these phenomena extended, there must always have been at work some forces conducing to this reproduction of the same results—some effective agency, of which man himself was at one time the unconscious, and another time even the unwilling, instrument—and I proposed to inquire what were those enduring springs of action, by the elastic force of which each of the Franco-Gallic monarchies arose with such similar energy, declined with such similar promptitude, fell into so similar a lifelessness, made way for so similar an aristocratic usurpation, and were so similarly productive of results, the unexhausted influence of which we can yet perceive and feel after the lapse of so many years?

To this question, so far as it respects the Merovingian Dynasty, I answered by ascribing this agency and these springs of action to the barbarism of the Frankish monarchs and of their Frankish subjects; or, in other words, to the energy, the rapacity, the ignorance, and the recklessness of the barbaric conquerors of Gaul. I may, however, seem to have been hith-

erto engaged in tracing the decline and fall of the Carlovingian Dynasty to a cause the most remote from these. I have thus far ascribed that catastrophe to a long series of successful struggles for national independence. Now, it is no barbarous triumph to achieve deliverance from a foreign yoke by force of arms, that so a solid basis may be laid for a domestic government. It is rather among the most sublime efforts of human daring, in the highest state of man's social advancement. Scotland, Switzerland, Belgium, Portugal, and America, point with just exultation to those pages of their history which record their successful revolt against a metropolitan power. With what reason, then, can we stigmatize, by reproachful or injurious terms, the corresponding passage in the history of the Franco-Gallic people? If it was glorious for the nations of Europe to break the yoke of Napoleon, can it have been inglorious, or a proof of barbarism, for their remote ancestors to have broken the yoke of the descendants of Charlemagne?

Such problems as these can never receive their correct solution until they have been correctly stated. The question, as I have proposed it, assumes that they by whom the independence of Gaul on the Germanic or Carlovingian empire was established were themselves really identical with the Gallic people. That assumption is, however, erroneous. Between those patriotic hosts and the mass of the population of Gaul there existed, throughout the whole of this protracted struggle, the broadest possible distinction.

Man, in his barbarous state, is gregarious. He does not become social till he is civilized. He does not reach the highest attainment of all, which is the right use and enjoyment of solitude, until after the choicest culture of his moral and intellectual powers. Thus the German invaders of Gaul were gregarious. They had dwelt together in their native forests rather as herds of men than as societies. When they settled themselves in the conquered country, and abandoned their migratory life for sedentary pursuits, they found the exchange in the highest degree wearisome and oppressive. To have become solitary husbandmen, shepherds, or tillers of the ground, would have been to counteract all their natural propensities and acquired habits. They therefore formed themselves, not, indeed,

as before, into transient encampments, but into the nearest practicable resemblance to them. Gathering round their chief, and holding the land in a kind of partnership with him, his leudes or companions divided their time between the excitements of the chase, the pleasures of a rude carousal, and the repose of protracted slumbers. The slaves, whom they either found or made, tended their flocks, and, under the charge of a manager or villicus, bestowed on their lands such rude husbandry as was then in use; sometimes rendering a stipulated rent in kind, and at other times laying up the produce in store for their masters, after deducting only what was necessary for their own bare subsistence.

Thus the rural society of Gaul, after the Frankish conquest, came to be composed of three great classes, the lords, the vassals, and the slaves. How each of those classes was subdivided has been explained by M. Guizot, in the fourth of his Essays on the History of France, in so luminous a method, and with such a prodigality of learning, as to leave his readers nothing to regret except that their teacher has permitted to them no scope for the unprompted exercise of their own powers of reflection.

There were, however, in constant operation, causes tending to detach the second of these classes—that is, the free vassals—from their rural settlements. When brought within the influence of the manners of imperial Rome, as still prevailing within the Romano-Gallic province, the German Kyning, and each of his greater chieftains, sought to surround himself with a court resembling that of a prætorian prefect. To such a court the vassals in his vicinity thronged with eagerness. As the power of every great seigneur consisted in the wealth and number of his dependents, he welcomed all who resorted to him in that character. And such retainers were never wanting at the residence of any such seigneur, for there alone were to be obtained the substantial benefits of grants of land and of civil and military offices, the imaginary benefits of titular distinctions, or the social benefits of more plentiful cheer, of louder revelry, of keener debate, and of a nobler chase than that of the sequestered village where the German horde had fixed their Gallic settlements.

If these innovations on the habits of Germany were sub-

versive of the ancient German equality of all free men, they tended still more strongly to the extinction of personal freedom among the cultivators of the soil throughout the conquered country.

In the yet extant capitularies of Charlemagne may be found ample proofs of the social revolution which was thus produced by this aggregation of the free vassals at the courts of their lords or sovereign. That revolution consisted in their abandonment not merely of rural life, but of all interest in the culture, and even in the ownership of the soil. Such pursuits were at all times unwelcome to the German warriors, repugnant to their national tastes, and hostile to their gregarious habits; but they became absolutely intolerable when contrasted with the festivities, the excitement, and the indolence of the royal or seignorial courts, or with the yet keener delights of war, of which they shared the dangers and the triumphs with their king. They therefore ceased to consider their estates in Gaul as their homes, and learned to regard them only as so many remote sources of revenue. But to derive from such property any revenue for the maintenance of the absent owner was no easy undertaking. It would be accomplished only by the use of servile and compulsory labor—a mode of husbandry at all times so unprofitable, that, by the operation of a general law of human society, a large proportion of all such lands and of the slaves attached to them were continually passing through a rapid succession of sales, forfeitures, and confiscations. They thus, at length, reverted to the crown, and were again included within the royal domain.

Such is the only intelligible explanation of the extent and number of the grants of land which, as appears from his yet extant charters, were made by Charlemagne in every part of the Gallic territory. In such grants the "inhabitants' houses, slaves, movables and immovables," on the land, are said to be always expressly included. The learned Alcuin acquired by one of these concessions no less than 20,000 slaves from the bounty of his friend and sovereign; and it is not probable that he fared so well in this respect as any one of the dukes or counts by whose aid the conquests of Charlemagne were accomplished. Vast indeed, therefore, must have been the amount of the servile as compared with the free population of Gaul.

The great Capitulary de Villis affords a still more impressive proof of the same fact. The royal farms, to the management of which that law relates, were obviously extended over a large proportion of the whole surface of the country. They have, indeed, been estimated at a fourth of the whole, and though this is probably an exaggeration, yet the error can hardly be very considerable, since it was from this source that Charlemagne defrayed the greater part of the civil and military expenses of his government during almost half a century. Now the Capitulary de Villis is framed on the assumption that this vast domain was to be cultivated by slaves, under the superintendence of managers, to be appointed for that purpose by the emperor himself, or by his officers. It follows that at that period the immense majority of the inhabitants of Gaul were of servile condition; that is, that they were bound to render to their employers a life-long labor, enforced, not by the hope of reward, but by the fear of punishment, and regulated, not according to the laws of the divine providence (ever equitable, though often mysterious), but according to the arbitrary will of man.

When, therefore, we speak of the Gallic people as engaged in a patriotic struggle for national independence, we refer to the myriads of free vassals. When we speak of the Gallic people of the same era as barbarous, we refer to the millions of slaves; or rather we refer, though not with equal emphasis, both to the one and the other; because a divine law, as universal as it is just, has decreed that they who impose on their fellow-men the yoke of slavery, shall themselves be partakers of the degradation which they inflict.

The term "barbarism" is, indeed, vague and equivocal. I employ it as designating that condition of society in which government is not and can not be maintained by moral restraints and influences, such as love, reverence, and policy, but is and can be maintained only by physical power on the side of the rulers, and by abject terror on the side of the people. The government of the Mansus being, in this sense of the word, barbaric under the Carlovingian princes, such also, by a natural and inevitable consequence, became the government of the state. The degradation of the commonwealth kept pace with the degradation of the households of which it was com-

posed. The Aristocratic oligarchy was the legitimate offspring of the domestic oligarchy.

To establish yet more clearly this pedigree of despotism, let it be borne in mind that the Frankish conquerors of Gaul apportioned it among the chief warriors of their tribes on the tenure of military service, excluding females from the line of inheritance, that there might never be any diminution in the number of the military tenants. But the Salian law-givers took no security against the risk of such a diminution from the transfer of many such tenements to a single person. Experience at length proved the reality of this danger, and showed that, by means of it, the number of free proprietors might become insufficient to recruit the armies and to supply the waste of war. Charles Martel, therefore, and his successors, invented what they thought an effectual remedy. They made numerous and extensive grants of land, on the condition that the grantee should always be liable to serve in his own person in the field, and that on his death the land should revert to the king. It was easy to make such a reservation, but the common feelings of mankind revolted against the enforcement of it. The son was, therefore, in fact permitted, though he was not in strictness entitled, to retain the benefice which his father had inhabited, cultivated, or improved.

These benefices thus became heritable; and that result teemed with consequences far more important than that of introducing a new tenure of so much property. To every such benefice were attached, as we have seen, great bodies of slaves, and over them the beneficiary exercised, not merely the rights of an owner, but also the authority of a magistrate. His magisterial or judicial power gradually but surely extended itself from the servile to the free inhabitants of the Mansus. His jurisdiction came to embrace all persons, of whatever condition, within that locality. The proprietor of the benefice was at the same time its domestic judge; and when the estate itself passed to the heir, he inherited with it the judgment-seat of his ancestor.

When the minds of men had become familiarized with the anomaly of a son administering justice by mere descent from his father, it was easy to advance another step, and to include within the domestic patrimony jurisdictions which were *not*

territorial. The magistracy of the count or viscount thus came to be regarded, not as a public trust, or as a mere personal employment, but as a right or property transmissible to his male heirs. As early as the reign of Charles the Bald, a custom hardly distinguishable from law had taught the holder of every such office to consider it as the future inheritance of his descendants.

At the Diet of Kiersey, in the year 877, Charles gave to that custom the sanction of a positive edict. It pledged the king himself, and his successors, to confer the jurisdiction, or, as it was called, the "honor" of the county, on the son of any deceased count; and it bound every count to observe the same rule with regard to all persons holding any jurisdictions, territorial or personal, within their respective counties.

The impulse given by this edict to the growth of the Aristocratic Oligarchy was great and irresistible. The followers of Clovis had, indeed, brought from their native seat in Germany a strong predilection for that form of government; and that tendency, though for the moment arrested by the strong hand of Charlemagne, had never been destroyed. The Frank settled in Gaul had retained, from generation to generation, much of the spirit of a clansman. He had, indeed, witnessed and undergone many and great political changes. His tribe, ceasing to migrate, had become stationary. He had himself exchanged the character of a warrior for that of a vassal. His military leader had assumed the title and the authority of a count or seigneur. His patriarchal Kyning had become a monarch. His ancient confederacy had been converted into a kingdom. But in the midst of all these vicissitudes he had cherished the hereditary traditions of the forest, and had continued to acknowledge his ancestral dependence on his immediate chieftain, and his ancestral subjection to a superior and ultimate sovereign. When, therefore, the Edict of Kiersey gave a formal and legal existence to hereditary landships and jurisdictions in any part of France, it was supported rather than encountered by the prejudices and prepossessions of the free Frankish inhabitants of the country. It was, indeed, the extension to them of a power which might be traced to a servile origin, and which had grown out of a servile relation; but to the free vassal of that age, as to the lower rank of free men in all ages,

the deprestion of the slaves, and the arbitrary rule under which they lived, were subjects, not of regret, but of exultation. In those bondmen, toiling for the maintenance of the whole society, they recognized a caste whose dependence and subjection were far more absolute than their own, and whose sufferings and humiliations elevated them in the social scale, by rendering their own freedom not merely an inestimable advantage, but a high and honorable distinction also.

To the domestic slavery which, in the age of Charlemagne, had overspread nearly the whole of Gaul, may thus be ascribed, not merely much of the origin of the Aristocratic Oligarchy, but the welcome acquiescence in that dominion by that class from whom alone any resistance to such an encroachment could with any reason have been anticipated.

When the barbarism of the domestic government had thus succeeded the barbarism of the government of the state, one of the most remarkable results of that political change was the disappearance of the laws and institutions by which Charlemagne had endeavored to elevate and to civilize his subjects. Before the close of the century in which he died, the whole body of his laws had fallen into utter disuse throughout the whole extent of his Gallic dominions. They who have studied the charters, laws, and chronicles of the later Carlovingian princes most diligently, are unanimous in declaring, that they indicate either an absolute ignorance or an entire forgetfulness of the legislation of Charlemagne.

The decretals of the Popes superseded the capitularies of the new Emperor of the West over the whole of that debatable land which lies between the provinces of the ecclesiastical and the secular law-giver. Still more fatal to the authority of his code were those local customs, Gallic, Frank, Roman, and Celtic, which he had labored in vain to eradicate. As the central power declined and fell, so also disappeared all uniformity of judicial and fiscal administration. The Gallic people, ceasing to think of themselves as members of a great state, or as the subjects of a great king, narrowed their thoughts and their affections to the canton of which they were inhabitants, to the seigneury of which they were vassals, or to the town of which they were citizens. In the exercise of his local jurisdiction, the lord of every such canton, seigneury, or town took for his

guide the maxims and the usages most familiar to his vassals and to himself; and when he called on them to aid him in warfare with his neighbors, he led them to the field, not with the observance of imperial capitularies formerly enacted at Aix-la-Chapelle, but by the assertion of such rights as the people most readily acknowledged, and by the assumption of such powers as his enemies most habitually feared.

Charlemagne had been accustomed to convoke his people (that is, his free people or military retainers) at the Champs de Mai, and there were exhibited some occasional imitations of the freedom of speech which had awakened the echoes of the Forum in the yet unclouded days of Roman liberty. The habit of grandiloquence on such subjects survived even to the reign of his grandson, Charles the Bald; for we read that it was proclaimed as a maxim at one of his assemblies, that "Lex consensu populi fit, constitutione regis." And yet, from that time forward, neither the initiative of the king, nor the consent of the people, was ever invoked either to enlarge the law or to amend it; for in his weakness the king was unable to enforce, and in their disunion and revolt the people were unwilling to render, obedience to the Carlovingian code, or to any additions to it.

By the ministry of subordinate kings, Charlemagne had reigned in Italy and in Aquitaine. His grandson saw both of those kingdoms crumble into their elements: the first resolving itself into a group of civic republics; the second breaking up into the sovereign duchies, or counties of Aquitaine, Gascony, Toulouse, and Auvergne.

Under Charlemagne the imperial power had been administered by dukes and margraves, his military chiefs; by counts, his civil governors; and, in theory at least, by the missi dominii, as the general superintendents of his realm. Under his grandson, those dukes, margraves, and counts successfully asserted their independence, became the real sovereigns of the territories over which they had been viceroys, and rendered that power hereditary in their families. The missi dominii, who, if you look to the paper constitution only, were the pivots of the whole imperial administration—the agents by whom the eye of the emperor traversed, and his hand reached, every part of his vast dominions—silently abdicated their obsolete

offices, and disappear, one knows not how, from all the public acts and chronicles of his successors.

While Charlemagne reigned, the lands in Gaul were still distinguished from each other as allodial or as beneficiary; both indeed held on the condition of rendering military services to the emperor, but the beneficia binding the owner to many other services from which the proprietor of allodial lands was exempt. But, under his descendants, the holders of the greater estates, allodial or beneficiary, refused to perform the conditions of their tenures. Their resistance was successful. In some cases they became independent lords, acknowledging only the superiority of the king himself, which was then little more than nominal. Far more commonly, the estates thus emancipated from their duties to the crown became subject, either willingly or by force, to some of the greater dukes, counts, or margraves; for in that age, such was the fear of domestic tyrants and of foreign enemies, that the weaker landholders gladly acquiesced in assuming feudal obligations to their more powerful neighbors in return for their promised protection, although by the acceptance of it allodial estates were burdened with heavy obligations, from which, till then, they had been free.

Under the rigorous rule of Charlemagne, the Church had enjoyed her estates and privileges in undisturbed security. His grandsons and their descendants were totally unable to protect the monasteries from pillage, or the sacred edifices from sacrilege. The advocate, or vidame, of an ecclesiastical corporation was usually some powerful count, who, in return for his defense of their temporalities, received from them benefits, temporal as well as spiritual. They rendered him annual money payments, or acknowledged him as their feudal lord, or prayed for his prosperity while living, or promised masses for his soul when dead, and a tomb within the abbey or cathedral walls for the reception of his body.

While the sceptre was still in the hands of Charlemagne, the barbarians who menaced the frontiers of his empire were vigorously repelled, if not pursued, into their own retreats. But, within a few years from his death, the whole of the Gallic people, from the Rhine to the Pyrenees, were agitated by the unceasing inroads of Scandinavian or Norman pirates.

Not only had the mighty conqueror departed, but his people seemed to have lost every trace of their ancient heroism. The French of the ninth and tenth centuries trembled before the northern invaders with the same abject despair with which, in a then distant age, the natives of Peru and Mexico witnessed the incursions of their Spanish conquerors. Nor did the followers of Cortez bear a smaller proportion to the armies of Montezuma, than the Norman pirates bore to the male population of France. To such a people, the imperial visions of Charles the Great were just as ill suited as the imperial visions of Charles V.

Charlemagne had extended his hereditary kingdom into a mighty empire. His early descendants contracted that same kingdom into what may be called an inconsiderable province. In addition to all the other dismemberments of it was the abandonment to the Normans of that great district which had ever since borne their name. Eventually, indeed, the cession of Normandy contributed more than any other single cause to the growth and consolidation of the kingdom of France. But at that time it indicated, more clearly than any other event, the decay into which that kingdom had fallen under the Carlovingian Dynasty.

The progress of barbarism, in the sense in which I use and have explained that word, is, however, most distinctly illustrated by what we may gather from Mabillon's Acts of the Saints of the Benedictine Order, and from the other hagiologies of that age. From those legends we learn that large districts of France had, under the later Carlovingian princes, been either converted into extensive sheep-walks, or given up to the natural growth of the forest. The saint is described in them sometimes as inhabiting, and sometimes as traversing, these desolate regions; and as reaching, at frequent intervals, either hermitages or oratories, where he pauses, either to worship or to seek repose and shelter, on his way to some celebrated shrine. The monastery appears there as no longer embellished by any of the decorative arts, nor as surrounded by its once smiling gardens, nor as thronged as before by pious worshipers, but as converted into a kind of fortress, with deep ditches, massive gates, and heavy portcullises, the necessary, though often the ineffectual, ramparts against Norman or do-

mestic invaders. The town and village also, as depicted in these religious biographies, is surrounded by a ditch and palisades, and defended by a tower or castle. The baronial residence has been transformed from the mansion of a chieftain into the fastness of a robber. The burgher, the pilgrim, the peddler, the Benedictine monk, and the husbandman, are represented as perishing, sometimes by want, sometimes by the sword of the foreign marauder, and sometimes by that of the neighboring lord; while, audacious by impunity, the châtelain, followed by a long line of lances, is exhibited as falling on the helpless traveler, or as extorting by the torch, the sword, or the scourge, a ransom from some unprotected monastery. Scarcely more attractive is the glance we occasionally obtain of the domestic life of this formidable seigneur. When not engaged in the chase, he is portrayed as amusing himself in his fortified dwelling, either with boon companions in an intemperate debauch, or as listening to legends of freebooters of a yet older time, still more ferocious than himself, or as yielding to the blandishments of the courtesans by whom such fastnesses were thronged, or as finding, in the daily masses and absolutions of his domestic chaplain, relief from the reproaches of his unquiet conscience for the crimes which the succeeding day was destined to renew. Even the most populous and powerful of the Gallic cities were impotent to resist the spoilers who thus ravaged the devoted land. Each considerable town placed itself under the protection of some military chieftain, who thenceforward became at once the occasional protector and the habitual oppressor of the helpless inhabitants. Every monastery, in the same manner, sought shelter beneath the arms of some warlike seigneur, who, under the title of its vidame, afforded the monks protection, on such terms as reduced his monastic clients to a state of continual poverty and alarm.

If, from the aspect of the material and social world thus presented to us in the Acta Sanctorum, we turn to the chroniclers of the ninth and tenth centuries, we shall learn that while the village, the convent, and the city were thus the prey of unrestrained violence, the minds of men were living under the despotism of superstitious terrors. I do not refer to the errors with which Rome had already debased the purity of the

Christian faith, but to the belief which had been adopted and diffused by the interpreters of the Apocalypse, that the destruction of the world was to be coincident with the lapse of a thousand years from the birth of Christ. To what an extent this opinion prevailed, and of what strange results it was productive, may be seen in any of those chronicles. Preachers came forth announcing that, in the visions of the night, they had received from the Savior himself an intimation that his second coming was immediately at hand. Mysterious voices were *heard* to mingle with the winds. Mailed combatants were *seen* to encounter in the clouds. Monstrous births intimated the dislocation of the whole system of nature. Men sought to propitiate the approaching judge, by giving to the Church the lands which were about to perish in the general conflagration. In many yet extant charters of that age, "mundi termino adpropinquante" is recited as the inducement of such donations. The alarm, though of course transitory, was yet sufficiently deep and enduring to depress the spirits of more than one generation, and to enhance the gloom of that disastrous age. So dismal, indeed, is the description which we every where encounter of the state of Gaul during the century which immediately preceded the accession of Hugues Capet, that we might imagine it to have been immersed in a darkness like that of Egypt—a darkness which might be felt—if experience had not taught us how many of man's dearest interests, how much placid enjoyment, mental activity, domestic peace, and spiritual repose may flourish in those countless retirements which no historian's eye can penetrate, and which no historian's pencil can depict.

From this barbarism of domestic slavery—of aristocratic oligarchy—of departing laws and institutions—of internal rapacity, and of superstitious terror, was, however, to emerge the Feudal Confederation, beneath the shelter of which many social calamities were indeed to be fostered, but from which, also, was to arise, in the fullness of time, the august monarchy of the houses of Valois and of Bourbon. This transition is among the most curious passages in human history.

Charlemagne had substituted the unity of royal dominion for the plurality of aristocratic chiefs. Under his feeble descendants, as we have seen, that unity of power was dissolved,

and the aristocracy resumed and enlarged their domination; until at length, amid the multitude of the armed baronial oligarchs, the power of the monarchy itself expired. Yet the people of Gaul never ceased to revere the name and the memory of their great king, the hero of so many authentic narratives, popular ballads, and romantic legends. His sovereignty had, indeed, been reduced to little more than a shadow and a form. In the main line, all his legitimate posterity were extinct. Of his descendants in the female or illegitimate lines, no one had any personal claim to respect, or even to endurance. Yet, first, Charles the Foolish, then Louis From-beyond-Sea, then another Lothaire, and then Louis the Fifth and Fainéant, were successively permitted to inscribe their worthless names on the French annals as kings of France, during the century which elapsed from the deposition of Charles the Fat to the accession of the Third or Capetian Dynasty.

During that century, however, another house was gradually rising into influence and authority, and was even invested with the royal rank and title. Robert the Strong, count of Paris, was the founder of it. Otho or Eudes, his eldest son; Robert, the brother of Otho; and Raoul, the grandson of the first Robert, were one after another invested, by the suffrages or acclamations of the people, with the title, though not with the power of kings; for at that time, as I have already noticed, that title was not seldom given or assumed as a synonym of that of commander-in-chief. Hugues, count of Paris, the son of the second and the grandson of the first Robert, became the guardian of Louis the Fifth and Fainéant; and, during his life, administered the government in his name. But on the death of Louis V., no obstacle any longer opposed the gratification of the hope which had animated Hugues himself, and each of his progenitors, during more than a hundred years. By the choice of the army, and the assent of the nobles, he exchanged the titles of Count of Paris and Duke of the Duchy of France for the title of King of the French people.

Seldom has any monarch borne a more inappropriate title. At the accession of Hugues Capet the French people can hardly be said to have existed, and France itself was not a single state, but an assemblage of many distinct countries. It was peopled by many different races of men, who still regarded

each other rather as aliens than as fellow-countrymen. The following is a brief enumeration of them.

Occupying the territories between the Meuse and the Seine, the Austrasian Franks retained the fair complexion, the flowing hair, and the imperious spirit of their ancestors. War was still the one serious business or cherished pastime of the chiefs. But they no longer waged war under the command of their Kyning, or their emperor, against foreign nations, but on their own behalf, and for their own gain or glory, against the other counts and seigneurs their neighbors. Their lands were still cultivated by the descendants of the ancient Gallic people as serfs, *adscripti glebæ;* while, by the aid of their free vassals, they at one time defended their manors and castles, and at another assailed the towers, or made a foray over the lands of the châtelains near whom they dwelt.

The Neustrian Franks, on the other hand, living between the Seine and the Loire, had become amalgamated with the remains of the ancient Romano-Gallic population; and with enervated minds and softened manners, had betaken themselves to the culture of the soil, to an abode in fortified cities, to the practice of civic arts, and to the erection of churches, abbeys, and other ecclesiastical edifices. To their Norman invaders they opposed neither courage nor policy, but submitted to their ferocious ravages with the tame pusillanimity which had characterized the inhabitants of the same territories when invaded, five centuries before, by Clovis and his warriors.

The Burgundians, dwelling in the province which still bears their name, but which then extended southward as far as the city of Arles, had made greater advances in civilization. They had adopted many of the traditions of the old Roman law; they had admired and imitated some of the remains of the ancient Roman architecture; and the Sacerdotal Order was held in far higher reverence among them than in Austrasian and Neustrian France.

The Aquitanians, settled in the country between the Loire and the Pyrenees, differed widely from the Frankish people of a more purely Germanic origin. Descended partly from the Visigoths, but far more from the Gallic aborigines and the ancient Roman colonists of Narbonese Gaul, they were distinguished by habits more luxurious and licentious, by a spirit

more democratic and independent, by greater subtlety of mind, and by a far more assiduous culture of poetry and of music, than belonged to any other of the great families among which Gaul was at that time divided. Yet, even in those southern and softer regions, the counts and seigneurs had adopted the half-savage modes of life, and indulged themselves in the rapacious tyranny of the feudal lords who inhabited the plains of Alsace or Champagne.

The Gascons, the Navarrese, and the Basques, though living within the limits of France, were a wild race of mountaineers, whose language was totally distinct from that of any other of the various French populations, and who had, in fact, no interests, habits, or prejudices in common with theirs.

The Bretons, also, inhabiting the peninsula which still retains their name, formed a foreign and independent settlement in the centre of Neustrian France, retaining the language, with many of the habits and superstitions of their Celtic ancestors; and acknowledging a consanguinity rather with the natives of Wales and Cornwall, than with the continental people in whose immediate vicinity they dwelt.

Adjacent to them, the Norman pirates, converted at last into a sedentary tribe, occupied, by the concession of Charles the Foolish, a large part of what had once constituted the kingdom of Neustria, and infused not only a nobler spirit, but a higher civilization also, into the degenerate race over which they had triumphed.

The preceding review of the various people among whom ancient Gaul was distributed at the close of the tenth century, has little or no correspondence with the *political* divisions of France in the same and in some following ages. Without affecting minute accuracy, it may be said to have been parceled out into eighteen principal fiefs or feudal sovereignties.

Of these, the duchy of France, combined with the county of Paris, may be considered as having been the chief. They had formed the patrimonial estates of Hugues Capet and his ancestors. They constituted his royal domain when he was elevated to the crown of France. Through that domain flowed the Seine, the Oise, and the Marne. Within it lay the city of Paris. It was, however, under the dominion, rather than in the possession, of Hugues and his descendants; for it was

divided into a multitude of petty seigneuries, the lords of which acknowledged him as at once their king and their feudal superior.

In the east, the duchy or province of Burgundy was held by the descendants of Hugues the Great, who himself had received the investiture of it from Louis-d'Outre-Mer. In the north, the race of Rollo the Dane ruled in Normandy.[3] Allain, a native Breton, celebrated for the enormous length of his beard, and for his successful revolt against the Normans, governed Bretagne.[4] The county of Anjou[5] belonged to Foulques the Black, renowned for his pillage, his murders, and his penitence.[6] Flanders was the fief of the descendants of Baldwin of the Iron Arm, the son-in-law of Charles the Bald. It surrounded a large part of the counties of Hainault[7] and Vermandois[8]; of which, at the close of the tenth century, Reynier the Long-necked was the feudal lord. Robert of Vermandois, who, not long before, had expelled the Bishop of Troyes from his episcopal church and feudal superiority in that city, was, in right of that conquest, acknowledged as Count of Champagne;[9] and Thibault, the son-in-law of Robert the Strong, had transmitted to his descendants the county of Blois.[10] In the south, the duchy of Aquitaine[11] and the county of Poictiers[12] were united to the county of Auvergne,[13] in the person of William III., known by the strange title of Tête d'Etoupe. Gascony[14] was divided into the duchy of that name and the county of Fesenzac.[15] Toulouse,[16] with the marquisate of Septimania,[17] already belonged to the house of Raymond, afterward so renowned for their triumphs in the Crusades, and for their disasters in the war of the Albigenses. The kingdom of Arles,[18] embracing Provence and Burgundy, east of the Jura (that is, Switzerland and Savoy), was at that period a fief rather of the German than of the French suzerain.

So indeterminate and fluctuating, however, were the divisions of the ancient Gallic territory at the time of which I speak (that is, at the accession of Hugues Capet), that the preceding enumeration of them is to be considered only as an approach to accuracy. It is, however, sufficiently accurate to justify the following general conclusions.

First. It shows that the central power of the monarchy was now dissipated among the multitude of the greater feudatories.

By pursuing the analysis farther, we should ascertain the minuteness with which each of those fiefs was itself apportioned among a multitude of inferior seigneurs, all of whom again subdivided *their* seigneuries among a yet lower and far more numerous race of vassals, and so on indefinitely. Yet, in the midst of all this attrition of the state, one principle pervaded every member of it. Each tenant owed fealty and homage to his immediate superior, from the lowest link of the chain to that last and highest link which connected the grand feudatory with the king himself, as suzerain of the whole of this descending and ascending series of vassals and of lords.

Secondly. This enumeration of the chief feudatories of France under the first Capetians indicates that great characteristic of the age, that is, its barbarism, or the subjugation of mankind to arbitrary will sustained by material power. Allain with the long Beard, Foulkes the Audacious and the Black, Baldwin of the Iron Arm, Reynier with the long Neck, and Robert the Strong, had those titles ascribed to them in the spirit of a barbarous courtesy, which attributed to the rulers of the earth those rude endowments on which they prided themselves, and for which alone their subjects valued them. And this significant, though vague indication of the real basis and character of those feudal governments is curiously confirmed and illustrated by the lives and legends of the saints which the Benedictines and the Bollandists have so laboriously compiled. We smile, and not unreasonably, at tales which so often rival in extravagance, without ever rivaling in fancy, the marvels of the Thousand and One Nights, or the revels of Oberon and Titania. But there is a deep significance in these seemingly unmeaning fables. With every appearance of good faith, though but with little semblance of good sense, they describe visions, and ecstasies, and heavenly visitants of earth, and grotesque miracles, and the discovery of relics and their healing virtue, and, above all, the intervention in sublunary affairs of her who "was blessed above women," and of the saints who are supposed to encircle her celestial throne. But these fictions, however puerile, are not without a meaning. They attest that their authors were living at a period when the ideal of human existence, the very poetry of life, consisted in meek suffering, in patient endurance, in pouring oil into the bleed-

ing wounds of a groaning world, and in escaping from its bondage and oppression, its lust and cruelty, into communion with more than female tenderness, and with more than angelic purity.

The third inference from the catalogue of the chief feudatories of France is, that the duchy of that name possessed peculiar advantages in the long struggle in which it was about to engage for a real as well as a nominal supremacy over the realm at large. Lying in the centre of so many fiefs, more warlike, populous, and extensive than itself, it detached and separated them from each other. It was thus prepared to make hostile aggressions on each of them in turn, and to find in all of them, successively, so many shields to avert from itself the inroads of foreign invaders. As duke of the duchy of France and count of Paris, Hugues Capet assumed the title of king, and transmitted it to his descendants with a prestige and a propriety which could not have been emulated by any of the lords of any of the surrounding states; for, under the two first dynasties, Paris had been the capital of the whole Gallic kingdom. The duchy in which it lay had, therefore, been regarded as metropolitan. There Hugues and his ancestors had long, and not ingloriously, struggled in the national cause against both the Norman and the German standards. And there he had received, by the acclamations of his army, a crown in which the other feudatories saw, or thought they saw, the keystone of the arch of their own baronial power; for their dominion over their vassals rested on a theory of tenures and dependencies which supposed the existence of some ultimate suzerain from whom their own fiefs were holden, and in whom the whole feudal hierarchy had their common head, and stay, and centre. And, therefore, the dukes of Normandy and Aquitaine, the counts of Flanders and of Toulouse, potent as they were, and exempt, as they conceived themselves to be, from any authority or control of Hugues Capet within their own duchies and counties, were prompt to render to him the formal homage due to the author, or, rather, to the imaginary author, of their own local dominion. They were not aware of the mighty force of names and titles, of fictions and of forms; and especially of their force when shadowing out any of the real substrata of the peace, and order, and social prosperity of

mankind. They knelt down with closed hands, and recited solemn vows before a titular sovereign, and did not perceive or foresee that they were thus gradually elevating that empty pageant of royalty into an effective sovereign, destined, at no remote period, to attain prerogatives by which their own states would be subjugated, and their posterity reduced to insignificance and want.

And now, reverting to the question with which I commenced this lecture, it remains for me to gather, from the preceding statements, the answer to the inquiry—What were the causes of the transfer of the dominion of France from the Second Dynasty to the Third, from the lineage of Pepin to that of Hugues Capet? My answer is the same as that which I returned to the question—What were the causes of the transfer of the Franco-Gallic empire from the First Dynasty to the Second? In either case the cause was "Barbarism," in the sense in which I have already explained that word. In each case society was in a condition in which government was not and could not have been maintained by moral restraints and influences, but was and could have been maintained only by physical force on the side of the rulers, and by abject terror on the side of the people. But in these two cases there was a material distinction. Though barbarism was the active cause in both, it worked in each in a different way and in an opposite direction. The barbarism of Clovis and his descendants rendered them incapable of establishing a moral dominion, and therefore incapable of establishing an enduring dominion. The barbarism of the Franco-Gallic people rendered them incapable of enduring the moral dominion of Charlemagne and his successors, and therefore brought that dominion to an abrupt and untimely end. Barbarism was the aggressive power in the first case, and the resisting power in the second case. In either case it was the successful power. Such at least is the best conclusion which I have been able to draw from such study as it has been in my power to bestow on these much controverted passages of the history of France.

Nov 26. 1852.

LECTURE V.

ON THE ANTI-FEUDAL INFLUENCE OF THE MUNICIPALITIES OF FRANCE.

Bearing in mind M. Guizot's remark, that the progress and true character of a nation can never be studied successfully except by ascending to the origin of its laws, habits, and institutions, I have hitherto lingered at the earlier stages of the history of France. But now, when I have reached the period at which the Feudal Confederation had become organized into a settled form of political government, I am unable any longer to adhere to that maxim, incontrovertible though it be; for if I should still continue to be guided by it, and should undertake any complete survey of that system, the whole of the time which the laws of the University have placed at my disposal during our academical year would be insufficient for the purpose. But M. Guizot himself, and our fellow-countrymen, Dr. Robertson and Mr. Hallam, have happily provided me with an effectual escape from this difficulty. In their researches into the origin, the progress, and the tendencies of Feudalism in France, they have left unexplained no question connected with it, whether considered as a body of laws, as a social polity, or as a code of moral sentiments, but have laid bare all the more recondite, as well as all the more obvious springs of human action by which, under each of those aspects, it was either nurtured, or mitigated, or developed. Futile as would be the attempt to emulate those illustrious authors, it would be almost equally superfluous to follow and to repeat them. Assuming, then, that their writings on this subject will receive from you the attention to which they have so pre-eminent a title, I pass on, in pursuance of the design which I have already intimated, to inquire in what manner the French municipalities contributed to conduct France from the state of a Feudal Confederation to that of an absolute Monarchy?

And here again I must begin by referring you to the guidance of M. Guizot, in the first of whose essays you will find

an incomparable review of the relations between imperial Rome and her civic dependencies in Gaul; and of the effect of those relations in hastening the ruin of the province and the dismemberment of the empire. Wonderful indeed was the vital power of those municipal communities. Five centuries had passed away after Genseric and Odoacer had swept the capital of the Western world with the besom of destruction. The Goths, the Burgundians, the Franks, the Saracens, and the Normans, had each in turn conquered and pillaged Gaul. Amid the anarchy of the later Carlovingian kingdom, brute force had assumed the dominion of France, and Feudalism had then arisen to give to oppression all the systematic energy of law. But while one billow after another had thus obliterated the other remains of civilization in the Romano-Gallic province, the eleventh century still found surviving there the *municipia* which Rome had founded, cherishing the traditions, and maintaining not a few of the customs transmitted to them from their predecessors through the long lapse of more than a thousand years.

Those customs had, indeed, undergone many essential alterations, some affecting their outward forms, and others relating to their inward principle; and, among those changes, the latest and most remarkable was the progressive substitution of a democratic spirit for that aristocratic character by which the civic governments of Gaul had been distinguished under the dynasty of the Cæsars.

The *curia* of a Romano-Gallic city was what, in our modern phraseology, would be called a self-electing body. All vacancies, as they occurred, were filled up by nominations made by the Curiales themselves, and it was their habit to nominate to that office only the members of the chief families of the place. Every such city was therefore, in effect, a commonwealth, governed by an oligarchy at once elective and hereditary. But as each of them in turn became the seat of an episcopal diocese, the bishop of each added to his spiritual power a great and direct secular authority, and yet a greater, though indirect, secular influence, within its precincts. When, progressively, the feudal hierarchy extended their dominion over these cities, the bishop himself sometimes became the seigneur of the metropolis of his own diocese. In other cases he made

a subinfeudation of it to an inferior seigneur, to whom he thenceforward bore the relation of immediate suzerain. Sometimes the supreme suzerain (that is, the king) was represented in such a civic fief by the count or viscount as his deputy; but more commonly some great neighboring lord claimed the protectorate of the city, and with it a feudal superiority over the inhabitants. But whatever might be the variations of outward form under which the seignorial rule extended itself over the ancient Roman municipalities, the remembrance of their ancestral franchises still animated the citizens to resent the degradation to which such encroachments subjected them, and to regret and exaggerate the evils consequent on the loss of their former independence.

The popular mind, when so agitated, habitually addressed itself, for support and encouragement, to the bishop; not merely because in that age, as in all ages, the Church was the firmest bulwark of the rights of the feebler many against the usurpations of the stronger few, but because, in those times and places, the bishop had strong and peculiar motives for the advocacy of their cause. The local aristocracy of the city were, for the most part, the vassals of the count or of the seigneur, and were, therefore, his partisans in assailing the political and proprietary rights of the diocesan himself. The local commonalty were, on the other hand, the usual supporters of the bishop in the defense of his secular privileges, and were therefore, in turn, supported by him in the resumption of their own. He thus became the habitual antagonist of the civic aristocracy, and the habitual protector of the great body of the citizens against them. And thus it happened that, before the end of the eleventh century, the choice of the municipal officers had been silently but effectually transferred, under the shelter of the crosier, from the privileged minority to the great bulk of the townsmen, whose zeal for the conservation of their newly-acquired elective franchise induced them to call it from year to year into active exercise.

At about the same period, the contest between Pope Gregory VII. and the Emperor Henry IV., and their respective successors, enabled the chief cities of Tuscany and Lombardy to erect themselves into free republics, which were essentially independent of both the contending powers, temporal and eccle-

siastical, though they acknowledged a remote and almost nominal subordination to the emperor as their supreme suzerain. In the exercise of that independence, they elected their own civic rulers, and bestowed on them the once venerated title of consuls. Now, so intimate were the commercial relations which united these new Italian republics to the great French cities in their vicinity, that the spirit of revolt and of imitation spread rapidly from the southward to the northward of the Alps; from Genoa, Milan, Pisa, and Florence, to Marseilles, Arles, Montauban, and Toulouse. And thus municipal freedom was yet more firmly established, and consuls were elected, in the south of France also; and thus a complete though pacific revolution was accomplished, which left to the Capetian monarchs little more than a nominal sovereignty within the walls of the principal towns of that part of their dominions.

Of the actual progress of this change little account has been transmitted to us by the chroniclers of those times, though, in the reign of Louis VI., it seems to have been fully established throughout nearly one third of the territories comprised within what we now call the French Republic. To the north of the Loire the towns were at that time nothing more than so many urban seigneuries, the lords of which were dwelling in fastnesses either within the walls or in their immediate vicinity. Many of those towns were, indeed, also episcopal sees; but as the inhabitants possessed no municipal constitutions or franchises, so neither did they contract with their bishops any such alliances as those which the bishops in the south had formed with the inhabitants of their respective metropolitan cities. That these northern and unprivileged towns would regard with discontent the contrast between their own condition and that of the ancient municipia might well have been anticipated, even if that unfavorable distinction had affected merely the sentiment of honor or of self-importance; but it really extended to the most substantial and weighty concerns of life. The seigneur claimed the right to subject his ignoble vassals, civic as well as rural, to tolls and other vexatious imposts. Without his license, a widow might not contract a second nuptials, nor a father bestow his daughter in marriage. Immovable property could not be disposed of by testamentary donation, nor even by an alienation *inter vivos*, except with his concur-

rence. He might seize to his own use the goods of his deceased tenant, unless, within a prescribed and brief period, the next of kin made good their claim to the inheritance. All freedom of trade within the town was dependent on his pleasure; and by him in effect, if not in form, all the local magistracy were appointed. Vast and arbitrary as were these powers, even according to the mere letter of the law, they were still more oppressive in practice; and when Louis le Gros ascended the French throne, the people of these seignorial cities had begun to assemble in the markets and other places of public resort—to debate their grievances—to compare their own physical strength with that of their oppressors—to agitate for change—and to devise the methods by which it might be most effectually accomplished.

The French historians, ever anxious, and ever subtle to detect the more secret springs by which either the mere surface or the depths of human affairs are agitated, have adopted two antagonist theories for explaining the events which followed. Velly and the monarchical writers maintain that Louis le Gros perceived in the popular excitement which was spreading from one town or city to another, a force which might be employed to undermine the feudal, and to enlarge the royal authority. They suppose him to have entered into a tacit alliance with the discontented citizens throughout the realm, on the basis that he should bestow on them acts of incorporation or enfranchisement, and that they should acknowledge him, not merely as their suzerain, but as their seigneur. From this union of the commonalty with royalty, the far-sighted king, according to this theory, anticipated the gradual decline and the ultimate disappearance of that feudal dominion, in the presence of which his own sovereignty existed rather as a pageant and a fiction than as a reality and a truth.

Nor does the title of Louis VI. to the glory of having thus enfranchised the civic population of France, rest on the suffrages of literary historians alone. His successor, Louis XVIII., in the constitutional charter which he promulgated on his restoration in the year 1814, wrote as follows: "We have considered that although, in France, all authority resided in the person of the king, yet our predecessors have not hesitated to modify the exercise of it according to the differ-

ences of successive times; and that thus it happened that the communes owed their enfranchisement to Louis le Gros; and to Saint Louis and Philippe le Bel, the confirmation and extension of their privileges." To this hypothesis, and to the royal authority thus pledged to the support of it, the French writers since the Restoration, and especially MM. Sismondi and Thierry, have opposed another theory. They maintain that the share actually taken by Louis le Gros in the enfranchisement of the communes was inconsiderable in its effect, and was dictated by none but the most obvious motives of immediate pecuniary interest. But they ascribe to the civic population of France, in the eleventh, twelfth, and thirteenth centuries, a revolutionary spirit, and a series of revolutionary achievements, differing from those of the eighteenth and nineteenth centuries in nothing except in the narrowness of the theatre on which they were exhibited. In this correspondence in the spirit and designs of the popular movements in ages so distant from each other, those writers find proof of a certain indestructible identity of the national character from the earliest to the most recent times; a tradition which, while it imparts a kind of retrospective dignity to the civic commotions of their remote ancestors, suggests also an apology for those convulsive movements of France which, during the last threescore years, have refused to Europe more than a few short and precarious intervals of repose.

Each of these accounts of the origin of the civil liberties of the French people may, with little hazard, be regarded as nothing more than one of the attempts to generalize with undue rapidity, to which their philosophical historians are so much addicted. That Louis le Gros anticipated the remote results of his alliance with the communes against the feudal lords of his kingdom, and that his actual policy was dictated by that anticipation, is an hypothesis contradicted, not only by the common experience of mankind, and by all that we know of his personal character, but by the incontestable facts of the case; for we have neither any record nor any tradition of his having enfranchised more than eight cities in all. In every one of those cases he interfered, not as an ally of the citizens against their oppressors, but as an arbiter between the people and two or more of their seigneurs, who were themselves

at variance with each other about the recognition of the popular claims. Each of the eight cities in favor of which Louis thus exercised his authority was within the confines of the Somme, the Oise, and the Seine; that is, within the royal domain or old hereditary sovereignty of Hugues Capet and his ancestors. The seigneurs of those cities were, moreover, all of them petty chiefs, holding immediately of Louis himself. To have interposed in the same manner against his grand feudatories, such as the Dukes or Counts of Normandy, of Flanders, of Vermandois, of Anjou, or of Toulouse, would have appeared to him, and to them, as a wild and audacious extravagance. His views, whether more or less profound, were confined to the duchy of France, and did not extend to the kingdom of France. And, finally, a reference to such of his grants as are still extant will show how large an influence was exercised over him by a motive of all others the least recondite and capacious; that is, by his want of ready money, a round sum of which he obtained in return for every enfranchisement to which he set his seal.

On the other hand, the theory that the communes of France were wrested from the rulers of the land, royal or feudal, by a series of popular revolts, shadowing forth in miniature and dim perspective those gigantic struggles which, since the year 1789, have overthrown so many successive French dynasties, is an opinion which could never have been seriously propounded by men illustrious for ability and for learning, if they had not also been men pledged to discover some theory for every fact, and some facts for every theory; for, first, there is no reason to conclude, or even to conjecture, that popular violence either induced or preceded the acts by which Louis le Gros established the communes of Noyon or of St. Quentin, although these were the earliest of his concessions of that nature, and became the precedents for those which followed; and, secondly, as the enfranchisement of the communes was in progress during the reigns of the twelve immediate successors of the sixth Louis, we can not acquiesce in the revolutionary explanation of that phenomenon, unless we suppose that the sacred right of insurrection was a right had in honor and exercised in France during more than three successive centuries; and, thirdly, amid the multitude of royal acts confirming com-

munes which have come down to us (there are, if my computation be accurate, no less than seventy-five in the eleventh volume of "Les Ordonnances des Rois de France"), the proportion is enormously great of those which no evidence, intrinsic or extrinsic, connects with any popular insurrection, revolt, or disturbance whatever.

In this case, as in many others, the admiration with which we at first contemplate an apophthegm or an epigram which grasps, or seems to grasp, within its narrow limits, the condensed history of a great people, gives way to disappointment when such an analytical expression is employed to resolve the obstinate problems which chronicles and chronology will throw in our way, as we descend from the elevated regions of historical philosophy to the humbler level of historical narrative. To understand what the communes really were, what was the nature, what the design, what the method, and what the results of their enfranchisement, we must inevitably pursue an obscure and a tedious path.

To the advocates of the insurrectionary theory it must, however, be conceded, that the charters by which the kings or the grand feudatories of France effected this great social innovation do emphatically attest that, in many cases, it originated in the popular resentment for intolerable wrongs. Some familiarity with the origin and growth of royal charters, in which the king in person is made to interpret the motives of his own administrative acts, may perhaps have indisposed me to attach to such prefatory language the weight which others have ascribed to it. Yet, even on the supposition that, from the days of Louis VI. to those of Charles VI., there was in France a succession of such legal fabricators of grants of the crown as at the present day are in attendance on the ministers of an English sovereign, it must be concluded that those erudite persons had *some* motive for ringing the changes on the popular complaints with which their productions are so frequently introduced. Sometimes the confirmatory grant is made "pro nimiâ oppressione pauperum"—or "ob enormitates clericorum"—or "de pace conservandâ"—or "ut cives sua propria jura melius defendere possint, et magis integre custodire"—or "propter injurias et molestias, a potentibus terræ, burgensibus frequenter illatas"—or (in one case)

"quod alter alteri auxiliabitur et quod nullatenus patientur, quod aliquis alicui aliquid auferat."

Whimsical as is this phraseology, it was probably the vehicle for much sound sense and substantial justice. That, however, was not the opinion of such of the seigneurs of the age of Louis le Gros as were learned enough to commit their thoughts to writing. There was living, at that time, Guibert, abbot of Nogent, whose autobiography still exists to attest his abhorrence of the civic innovations of which he was the reluctant, but inquisitive eye-witness. "The object (as he indignantly remarks) of a commune (novum et funestum nomen) is to emancipate all *censitaires* from servitude, in return for a fixed annual payment; to prevent any punishment for a violation of the law except a penalty of which the amount has been determined and prescribed beforehand; and to deliver the serfs from all the other imposts to which they are lawfully subject." Nor was Guibert singular in his resentment at the regard thus shown for the servile or plebeian orders of society. "Venerabilis et sapiens Archiepiscopus Rhemensis," he informs us in another place, "inter missas sermonem habuit de execrabilibus communiis illis."

We must not, however, hastily or very sternly condemn this aristocratic jealousy; for although (as I have said) many of the communes were enfranchised without any insurrectionary movement, yet Guibert has delineated some of the reformers of his day in attitudes which might seem to reduce the reforming Frenchmen of our own times to the character of humble parodists. His narratives would supply excellent materials for many a historical romance. The following specimen of them has been repeatedly made to answer the ends of historical inquiry.

In the reign of Louis le Gros, Laon was a place of great dignity and importance; and, among those cities of France which were not holden of any of the greater feudatories of the crown, Paris alone exceeded it in population and wealth. In the year 1108, Naudrie, a Norman, who was engaged in the service of our Henry I., became the bishop of the see, and, in that capacity, the seigneur of the episcopal fief and city of Laon. Regardless of the sanctity of his office, Naudrie was a huntsman, a warrior, and a freebooter. Regardless of the feel-

ings of society, he gave in to the military fashion of his age, by entertaining in his suite a negro, whose turban and cymbals designated him, in all ceremonies, as part of the spoils brought by the first Crusaders to Europe. At other times the Saracen (for so he was called) was employed in executing his master's sentences of death or of torture on the objects of his judicial or of his personal displeasure.

It was one of the habits of this marshal-prelate to make occasional visits to England, that he might secure to himself a share in the plunder of the conquered islanders; and, during one of those journeys, the citizens of Laon, emulous of the success of their neighbors at Noyon and St. Quentin, met together, agreed upon a scheme of municipal government, pledged themselves to each other by oaths to the observance of it, and induced the nobles and clergy of the city to swear that they also would acknowledge and respect it. On his return from his English raid, Naudrie found himself, to his equal surprise and indignation, surrounded, not, as formerly, by mere serfs and censitaires, his unresisting subjects, but by a body of citizens, asserting their right to the free and independent exercise of the most ample municipal franchises. The prompt offer of a large sum of money, however, soothed his resentment, and persuaded him to renounce, in favor of the new commune, all his own seignorial rights, and to bind himself by oath to respect and maintain their privileges. A similar offering to Louis le Gros procured from him letters patent confirmatory of the civil constitution, and peace and freedom seemed for a while to be firmly established at Laon.

Ere long, however, the want of money and the loss of power awakened the bishop and the nobles to a painful sense of the sacrifice they had made, and to a keen desire to regain their former authority. The king having, on their invitation, come to Laon to celebrate the festival of Easter, the bishop offered him 700 livres as the price of revoking his recent charter. The citizens offered him 400 as the price of confirming it. The higher bidding being accepted, the letters patent were solemnly recalled. A storm of retributive vengeance followed. The cry of "Commune!" "Commune!" became the constant watchword of conspiracies and civic tumults. The bishop's person was repeatedly assailed, his mansion besieged, his church con-

verted into a barrack and an arsenal; and the nobles who came to his rescue were massacred without distinction, or pity, or remorse. As his last chance of escape from his incensed enemies, the bishop took refuge in his own cellar, and concealed himself there in an empty wine-cask. One Thiégaud, a man to whom, for his brutal appearance and manners, the bishop had given the sobriquet of Isengrin, or Master Wolf, raised the lid of the cask and drew him out of it by the hair of the head, exclaiming, "So this, Master Wolf, is your den!" The unhappy man was dragged along the streets, overwhelmed at every step with filth, and blows, and the vilest insults; till one of his persecutors, more merciful than the rest, clove his skull with an ax, when the implacable Thiégaud mutilated and stripped his body. It remained a whole day naked and exposed, a mark at which every passer-by (says Guibert) directed mud and stones, accompanied by insults, by ridicule, and by execrations.

The fury of the people was then directed against the surviving nobles, and against the wives and daughters of all whom they regarded as their enemies. Murder, conflagration, and crime in every form reigned without control through the devoted city. Houses, churches, and monasteries disappeared in the flames, till, wearied with their own excesses, and dreading their well-merited punishments, a large body of the townsmen abandoned the place, and sought beyond its precincts for alliances to defend them against the expected vengeance of the king. They found such a defender in Thomas de Marle, the lord of Crecy. But while the negotiations with him were in progress, the inhabitants of the neighboring towns and villages were conducted by the nobles into Laon, and under their orders commenced a new series of massacres and plunder on the persons and the property of the townsmen. At the same time the king, marching against Thomas de Marle, besieged and took the town or castle of Crecy, and having put to death all the fugitive insurgents who were found there, left their bodies a prey to the wolves and vultures. A warfare of sixteen years' continuance between the contending factions followed. It reduced Laon to utter ruin, but not to peace; and, after a succession of perjuries, murders, cruelties, and abominations, to which the French Revolution alone can supply a

parallel, the strife at last ended just where it had commenced; that is, by a formal acknowledgment and confirmation, by Louis le Gros, of the commune of this indomitable city.

Now, although I can not subscribe to the inference so often drawn from this narrative, that insurrection and bloodshed have in France a prescriptive claim to be regarded as the legitimate basis of civil liberty, there are some other conclusions, at once more important and more indisputable, which it seems to me to illustrate, if not to establish. To explain those conclusions, it is necessary to define some words which, in the discussion of this subject, are not unfrequently used in an improper or in an equivocal sense.

In France, the word "Bourg" originally meant any aggregation of houses, from the greatest city to the smallest hamlet. But when, in consequence of the anarchy of the tenth and eleventh centuries, every town, and almost every village, was fortified, the word shifted its meaning, and came to signify an assemblage of houses surrounded with walls. Secondly, the word "Bourgeois" also was at first used as synonymous with the inhabitant of a bourg. Afterward, when corporate franchises were bestowed on particular bourgs, the word acquired a sense corresponding with that of the English designation Burgess; that is, a person entitled to the privileges of a municipal corporation. Finally, the word "Bourgeoisie," in its primitive sense, was the description of the burgesses when spoken of collectively. But, in its later use, the word would be best rendered into English by our term citizenship; that is, the privilege or franchise of being a burgess. It is in these secondary or acquired senses of the words, bourg, bourgeois, and bourgeoisie, that I shall employ them in the sequel.

The history of the birth of the commune of Laon, darkened though it be by folly and by crime, yet shows that, even then, the rude feudal lords and their still ruder vassals respected those maxims of law on this subject which were so solemnly recognized during the three immediately succeeding centuries; for, first, they acted on the rule that the legal effect of establishing a commune was not to extinguish the seigneurie, but to transfer it to the citizens themselves. The bourgeois did not cease to be feudal tenants. They merely ceased to be tenants to their former lord, becoming tenants to a new lord,

that is, the corporate body of which they were themselves members. The lordship was held by the bourgeois in trust for the bourgeois. Succeeding to the legislative powers of the seigneur, the commune made by-laws; succeeding to his judicial powers, they elected magistrates for the effective exercise of them. The great communal franchise of self-government, legislative and judicial, was, in fact, the acquisition and the use by the local democracy, for democratic purposes, of the powers formerly enjoyed and abused by the local despotism for despotic purposes.

Secondly. The people of Laon acted on the rule that the only legal basis of a commune was a *conjuratio*, that is, a compact of the inhabitants confirmed by their oaths to each other. The principle of that rule was, that the renunciation of the feudal dependence of the citizens on their lord, and their acceptance of the fief with all its attendant duties, were acts which supposed the free exercise of their own free choice; for no man, or body of men, could be lawfully constrained either to renounce the benefits of vassalage, or to assume the obligations of lordship. These were chains which were at least supposed to be worn voluntarily. Feudality always rendered this kind of formal tribute to the freedom which it substantially violated.

Thirdly. The civic revolution of Laon illustrates the rule that no such conjuratio was valid merely by the act of the citizens themselves who were to be enfranchised, but that it was also necessary that the clergy and the nobles should signify their acquiescence in the change, and should guarantee the maintenance of it; and that it should be farther sanctioned by the seigneur, whose feudal superiority was to be renounced. The meaning of this rule was, simply, that no one whose rights would be diminished or affected by the contemplated innovation, should sustain any such loss or detriment, until it had been clearly established that his consent had been first asked and given. "Non licet Burgensibus communiam facere sine senioris consensu," is a maxim to be found in some of the confirmatory acts of Louis VII. Thus Bishop Naudrie was not deposed from the seigneurie of Laon. He expressly abdicated it.

Fourthly. The confirmation of the king as suzerain was

considered essential to the creation of the commune at Laon, as it was, in later times, to the lawful establishment of any other commune; for the rights of the *supreme* lord might not be abridged without his own express permission. Such royal confirmations were often repeated in consideration of money payments, and in many cases at intervals so short and so regular, that the crown obtained from this source a revenue effectually replacing that which, if the seigneurie had not been transferred to the commune, would have been payable on the deaths or alienations of the tenants. It should be observed, however, that before the confirmation of the king had been actually pronounced, a commune might exist by sufferance. Yet, when resting on sufferance merely, it might also be suppressed by the suzerain at his pleasure; for, until he had converted the usurped power into a legal right, it was considered in point of law as a mere revolt.

Lastly. It seems fit to notice that in early times the sovereign did not interfere for the creation or confirmation of communes, except within the limits of the royal domain. The power of confirming communes created by a conjuratio was exercised by each of the greater feudatories within his own duchy or county, and not by the king. Yet, with the gradual increase of the power of the crown, this distinction fell into disuse, so that, as early as the year 1183, the duke of so great a fief as that of Burgundy obtained from Philippe Auguste the confirmation of a commune, granted by himself to the citizens of Dijon.

Quitting now the particular case of Laon, I observe that, at the time of the conjuratio at that place, there were existing, in many parts of France, bourgs of yet another species. These were in the enjoyment of civic franchises more or less ample, not by a traditionary right as in the South, nor by a revolt as in the communal towns, but by charters granted to them by their royal, or noble, or episcopal seigneurs. Such charters ascertained what were the customs by which the citizens were to be governed, and by which the rights and duties of the grantor as their lord, and of themselves as his vassals, were to be determined. To insure the due observance of those customary laws, the lord delegated his own seignorial authority to an officer called a Prévot. From that circumstance such

bourgs acquired the name of Prévotal cities. To this class belonged Paris, and many other places of great importance.

The liberties of the Prévotal cities were generally less extensive and absolute than those of the ancient municipia, or than those of the communes. They rested, however, on a firmer basis, and were defended by more powerful guarantees. Holding those liberties, not by usurpation, but by the free will of the seigneur, or at least by his deliberate and unconstrained choice, the citizens had nothing to fear from his vindictive resentment, and not much from his avarice. The main principle of their urban polity was, that they were not the inheritors nor the conquerors, but the grantees of their privileges. The fundamental maxim of their urban policy was, therefore, to multiply and to strengthen the bands which connected them with the author of their corporate existence.

But the king as seigneur, or as supreme suzerain, was in all cases either the direct and immediate, or the indirect and more remote author of it. The Prévotal cities were thus drawn into an early and intimate alliance with him, and were always found among the most active supporters of the authority of the crown.

Three important consequences followed. First, as the internal constitution of the Prévotal cities was the most secure and beneficial of all the forms of French civic government, so it became the normal type, toward which every other form was drawn into a welcome and continually-increasing resemblance. Secondly, as the Prévotal cities were attached to the royal power, and courted its alliance and support, so the same royalist tendency was gradually developed in the other municipalities, traditional or communal, which were emulous of their advantages. And, thirdly, by the plastic influence of that royal power on the institutions of all those bourgs (its willing subjects), the various elements of the municipal system of France were at length brought, if not into an absolute uniformity, at least into a general similitude and correspondence with each other.

I will not pause to indicate the steps of this gradual and perhaps unheeded revolution, which, however, may be traced in the "Ordonnances des Rois de France," from the age of Philippe Auguste, when it commenced, till the end of the fif-

teenth century, when it was completed. For my present purpose it is enough to say, that, with the disappearance of the distinctions between the three different classes of bourgs, there also disappeared most of the ancient differences between the rights enjoyed by the bourgeois of each. Throughout the whole of France the bourgeoisie became, if not exactly identical, yet so much and so nearly so as to enable us to disregard those minor variations, which belong rather to the history of particular cities than of the whole kingdom. I proceed, then, to inquire, in whom the bourgeoisie was vested; what were the privileges it conferred; what were the obligations which it imposed; how it impaired the strength of the Feudal Confederation; and by what methods the power of the bourgs themselves was at length subverted?

First, then, no man could be a bourgeois unless he were free; that is, no serf could acquire that franchise so long as he retained his servile character. For this rule the lawyers assigned a technical reason. No serf, they observed, could hold any seignorial rights; and therefore no such person could be one of those citizens in whom, collectively, the seigneurie of the bourg was vested. The broader and more solid foundation of the doctrine was, that these municipal communities favored and promoted personal liberty. In all of them, every serf, after a short residence within the walls, was enabled, by a prompt and easy process, to acquire his enfranchisement, and when so enfranchised, he was entitled to become a bourgeois. His temporary exclusion from that advantage had, therefore, the effect of conducting him to the early and complete enjoyment of it. Thus that impatience of the presence of slavery, for which the soil of England has been extolled by judges, by poets, and by orators, and that impatience of inequality in the eye of the law for which the English Constitution has been celebrated by philosophers and statesmen, flourished more than six centuries ago in primæval vigor in the emancipated communes of Feudal France.

Secondly. Originally, at least, every bourgeois was a roturier; that is, he was neither a noble nor a clergyman. The members of those orders were excluded from the bourgeoisie, because they had rights to assert in the bourg, and duties to perform there, which were regarded as incompatible with the

rights and the duties of bourgeois. Many proofs might, however, be adduced, to show that this rule was soon and often relaxed; that nobles frequently acquired and exercised the bourgeoisie; and that the clerical office was no effectual impediment in any case in which a clerk in holy orders happened to possess, within a bourg, property holden, not in right of his church, but in his own personal capacity.

Thirdly. Criminals, also, and the king's enemies, and the enemies of the bourg, were disqualified from becoming bourgeois. The same rule originally applied to persons not born in wedlock, and to leprous persons, and to their descendants. But the disappearance of the leprosy from Europe, and the legitimation of bastards, abolished, in process of time, each of these latter grounds of incompetency.

Fourthly. The bourgeoisie might be acquired by birth, by marriage, or by prescription. Thus the children, or the wife, or the husband of a bourgeois were themselves bourgeois. A continued residence in a bourg for a year and a day conferred the same advantage. The bourgeoisie in any city might also be acquired by a special grant from the king in favor of any person who, in virtue of it, became what was called Bourgeois du Roi or du Royaume. This concession was usually purchased with money. It bound the grantee to a residence in the bourg during a few days, at one of the greater festivals of the Church, unless he should obtain a dispensation. It required him to pay a rate or tax from which the other bourgeois of the town were exempt, and either to buy or to build within its precincts a house of a certain prescribed value, which was to serve as a security for the payment of that impost.

When this personal right of bourgeoisie had been once firmly established, it became the subject of a most lucrative royal patronage. By means of it, a vassal, though continuing to live on the lands of his lord, might rescue himself from subjection to his lord's authority, because, between a bourgeois du roi and the king, there could be no intermediate seigneur. After the reunion of the province of Champagne to the royal domain, in the year 1285, these invasions of the crown on the property and powers of the lords rapidly increased. The privilege of becoming a bourgeois du roi then began to be asserted and admitted in favor of any vassal, on the simple condition of his

disclaiming subjection to his seigneur, and doing fealty and homage to the supreme suzerain. In 1372, Charles V. formally declared that to impart to any one the right of bourgeoisie was the exclusive and inalienable prerogative of the crown.

Such having been, in general, the methods by which the bourgeoisie might be acquired, we are next to consider, What were the privileges which it conferred?

First, then, the bourgeois of a French bourg could not be taxed, without their own consent, beyond a certain maximum, the amount of which was ascertained by the charter of the place. Those charters usually provided for the commutation of tributes in kind for fixed money payments. On the same terms the corvées were abolished in the bourgs, and there also quit rents were substituted for those feudal dues, which were elsewhere exigible, on so many occasions, for the benefit of the lord. The bourgeois were farther exempt from the obligation of finding lodging and purveyance for the king, or for any of his officers or feudatories, and from many other vexatious burdens to which the ignoble vassals of a rural fief were liable.

Secondly. When extraordinary imposts were to be raised within a bourg for the service of the suzerain, the bourg claimed and exercised the right of granting or of withholding such supplies at its pleasure.

Thirdly. To every bourg was conceded, to some extent, and to most bourgs to a very great extent, the right of self-government. It was a right which, in all legislative and administrative affairs, was exercised by a mayor and aldermen (échevins), and in all judicial affairs by judges freely chosen by the bourgeois themselves. The bourgeois having succeeded to the legislative powers of the seigneur and his feudal court, made by-laws; and, having succeeded to his judicial powers, they elected magistrates for the effective enforcement of them. This great burgher franchise of self-government was, in fact, as I have already observed with reference to the communes, the use and improvement by the local democracy, for democratic purposes, of the powers which had formerly been enjoyed and abused by the local despotism for despotic purposes. By shifting hands, the sceptre was converted into an ægis. Freedom was rendered secure by the acquisition of the very same instrument which had before rendered tyranny formidable.

You will, however, understand that the perfect freedom of this elective franchise was peculiar to the communes; and that, as the three forms of municipal government were progressively drawn into correspondence and harmony with each other, it gave place, even in the communes, to a more restricted system. The choice of the people and the nomination of the crown were then, by various compromises, combined and reconciled with each other. Thus, in some bourgs, each *Quartier* voted a list of eligible candidates, and from those lists the royal officer or Prévot made his choice of the corporate officers. In other bourgs, again, one half of the governing body were freely chosen by the bourgeois, the other half being appointed by the king. In many the people chose, not the municipal officers themselves, but electors, by whom they were to be nominated. Recourse was had in some instances to the lot, to decide between the various selected candidates; or the number of the voters was reduced by requiring peculiar and high qualifications. Ultimately, indeed, the electoral franchise of the bourgeois was reduced to insignificance throughout the whole of France; but, during the period of which I now speak, that is, from the time of Philippe Auguste to the end of the fifteenth century, it existed in nearly all the bourgs in more or less vitality, and under more or less restraint from these or similar interventions of the royal authority.

Fourthly. The Penal Law, established in the bourgs by their charters, was in many respects more lenient and more wise than the corresponding law as it prevailed in the kingdom at large. Thus, for example, the liablity to damages was substituted for the Lex Talionis, the trial by battle was abolished, and capital sentences in a bourg did not involve the confiscation of the estate and goods of the offender.

Fifthly. The bourgeois enjoyed the protection of a local police long before the establishment of any such institution in the kingdom at large. They had open fairs and markets to which all traders resorted, under the protection of the king, and the members of every trade were associated in separate guilds for their mutual defense, and (as it was then believed) for their mutual benefit, and for the improvement of their respective crafts.

Sixthly. Among the ordinary, though not the invariable

privileges of a bourg, were the right of fortifying and defending the town; the right of excluding from its precincts any money of new weight and value, even though struck at the royal mint; and the right of having an hotel de ville, a belfry, a town clerk, and a common seal.

These municipal privileges were not, however, unconditional. The citizens bought their franchises at a price. It remains, therefore, to inquire, however briefly, What were the obligations to which the privileged bourgs were generally subject?

First, then, the bourgeois were bound to guard the town walls, to maintain the fortifications, to keep the public places and thoroughfares in good order, to keep watch and ward in the streets, and to provide for all the duties and expenses of the local police.

Secondly. They were required to raise funds to meet all civil expenditure.

Thirdly. They were bound, sometimes in direct terms, and sometimes indirectly, to pay to the king a periodical tribute, which was, in fact, the price of the liberties for which they were indebted to him.

Fourthly. They were originally required to serve the king in his wars during some definite period, with some prescribed number of men-at-arms; for the bourgeois, when considered as seigneurs of the urban fief, were, like all other seigneurs, bound to render to the king military services. But the continuance and other conditions of that service were very dissimilar in different bourgs, and at length this obligation was commuted almost in them all for money payments; for the civic militia of course fell into disesteem as soon as the use of well-disciplined and regular armies had been introduced and firmly established.

I may thus far seem to have been forgetful of the question which I proposed at the commencement of this lecture—the question, that is, In what manner the French municipalities contributed to conduct France from the state of a Feudal Confederation to that of an absolute Monarchy? Whatever I have hitherto said must, however, be considered as preparatory, and as subservient to the answer to that inquiry. It is, indeed, a very brief and imperfect introduction, but may perhaps be sufficient to render the following solution of it intelligible.

First, then, in proportion as the bourgs obtained the transfer of the seignorial power from the feudal lords to the bourgeois collectively, they narrowed the range of that power, and impaired its energy. When fiefs so numerous and so considerable had passed from the territorial aristocracy to the civic democracy, the external form of that despotic system ceased to be animated by its primitive and living spirit. Until then the population of France had been composed of two great antagonistic powers—the nobles and the roturiers; the one enjoying all the privileges of freedom, and the other sustaining all the burdens of servitude. But when at length the bourgeois were interposed between the two as a mediating body, combining in their own persons the rights and obligations of each, they at once mitigated the sternness of the dominant authority and the sufferings of the subject multitude.

Secondly. Each bourg formed a species of independent commonwealth within the realm; and such commonwealths, when extended throughout the whole compass of it, acted every where as germs from which the national government was to derive its growth, or as molds by which it was to receive its future form and character. As the monarchs of France at first nourished and defended the privileges of the free cities, so the free cities at length contributed to mature and to develop the absolute sovereignty of those monarchs.

Thirdly. Though the municipalities enervated the spirit, and undermined the strength of the feudal confederation, they were too widely dispersed, too little connected with each other, and too unwarlike to enter into any direct conflict with it. They could wage such a war successfully only from beneath the shield of the indefinite, but constantly increasing prerogative of the king. In that contest they found in him an effective protector, and he in them effective subjects, who rendered to him a regular revenue, an undivided allegiance, and the services of a militia which, if not very formidable, was at least numerous, and exempt from the control of seignorial arrogance and caprice.

Fourthly. The bourgs extended their own anti-feudal spirit and policy to the rural populations in their respective vicinities. Not only towns, but villages, and sometimes groups of villages, imitated the revolts of the greater communes, and

acquired the communal franchises. When such villages did not already exist in the vicinity of a great agricultural fief, it became customary for the king to encourage and to authorize the erection of them, in order that, when converted into bourgs, they might serve as an asylum to ignoble vassals disaffected to their lords. Hence arose those Villeneuves, or Villeneuves le Roi, which are to be met in every part of modern France, and which, in their origin, were so many additions made to the royal at the expense of the seignorial resources.

Fifthly. In the immediate presence of the political liberties enjoyed in these rural bourgs, personal slavery was daily felt as a more oppressive and hateful burden, and therefore daily advanced with a swifter pace to its complete and final dissolution. To afford the amplest scope for the gratification of this just and still increasing resentment, each municipality adopted and propagated those legal doctrines, to which I have already referred, respecting the personal freedom of every bourgeois, and respecting the right of every slave within its walls to a prompt and easy enfranchisement. Each bourg in France thus became a city of refuge for the serfs in its vicinity.

Sixthly. Even yet more fatal to the predominance of the seignorial power was the legal fiction which extended the Bourgeoisie to the Bourgeois du Roi, that is, to free men not really inhabiting any bourg. In this class of bourgeois, freedom (that is, the substitution of the character of a subject to the crown for the character of a vassal to a lord) first exhibited itself, not as a local, but as a personal privilege. It was a change which introduced, not merely a new status of society into France, but also a new and prolific idea into the minds of Frenchmen. The Bourgeois du Roi were the first persons in that kingdom who, in the full and proper sense of the term, became members of the Tiers Etat.

Seventhly. The municipalities established throughout France, slowly indeed and imperfectly, but yet surely, that aristocracy of commerce, which is every where the inveterate and the fatal enemy of the aristocracy of hereditary descent and territorial possessors. In all the greater bourgs, and under the shelter of their peculiar privileges, labor and capital each began to be employed in those methods, and to be distributed according to those principles, by which each is ren-

dered most effective as an instrument of reproduction. Wealth increased, and industry, and security; and, in many of the most important offices of life, the townsmen were thus daily taught to feel their individual worth and their collective power.

Eighthly. The feudal dominion rested chiefly on unwritten or traditional customs, of which the court or parliament of the seigneur were the judicial expositors. The municipalities, on the contrary, were governed to a great extent by the *Droit écrit*, and the gradual dominion of the written over the unwritten law was alternately the cause and the effect of a corresponding subordination of the seignorial to the municipal authority.

The *Droit écrit* was established in the bourgs in several methods. For, first, the charters or royal grants invariably ascertained what were the customs to which the bourg was to be subject, and under which the inhabitants of it were to live. They were, in general, the ancient customs of the place, or of the immediate vicinage; and these customs were recited in the charters with more or less of copiousness, to exclude, as far as possible, the arbitrary exercise of that judicial discretion, which is more or less inevitable when the judges have at once to declare and to enforce rules, not expressly prescribed by the Legislature, but gathered from the recorded usages or decisions of their predecessors.

In each municipality, also, the written code was, from year to year, rendered at once more copious and more precise by the promulgation of those by-laws which each was authorized to establish. Such by-laws echoed and reflected the spirit of the institutions which gave them birth. They had, for their basis, natural equity, especially in whatever related to the various relations of domestic life, and to the acquisition, alienation, and descent of property.

And, as the cities of France originally caught from those of Tuscany and Lombardy the spirit of municipal independence, so they derived from the same source the study and the admiration of the ancient Roman jurisprudence. It was quoted, followed, and adopted in many of the more considerable bourgs, and especially in the South. It supplied the judges who administered, and the lawyers who commented on it, in those

local tribunals, with principles and with analogies drawn from the imperial constitution; and, therefore, hostile to the pretensions of the seigneurs, and favorable to those of the monarchs of France. From one end of the kingdom to the other, it thus became more or less recognized (according to the distinction of the French lawyers), either as the *Droit écrit*, or as the *Raison écrite*. It was recognized as the *Droit écrit* in those places where the Roman law had till then prevailed as a traditionary local custom. It was recognized as the *Raison écrite* in those places where hereditary traditions, and the remains of the barbaric codes, had more or less superseded the old Roman jurisprudence. Thus either the *corpus juris civilis*, or the *coustumiers* or local codes as illustrated by it, gradually overspread every municipality of the kingdom, subverting in their progress no inconsiderable part of the feudal maxims and institutions.

To these various causes is chiefly, though not exclusively, to be attributed the victory of the municipal over the feudal system of France, and the appearance of that great element of French society which we call *Tiers Etat*. It was the immediate offspring of the Bourgeoisie—understanding that word as expressive, not of the right of citizenship, but of the whole mass of the French people, among whom that right was diffused; and, therefore, as comprising the bourgeois of all the old Roman municipia, of the Prévotal cities, of the communes, and of the villages possessing the communal franchise, and adding to these the Bourgeois du Roi or du Royaume. When we reflect on the inherent energy of this member of the social economy of France, we are tempted to wonder rather that its strength was so long dormant, than that it at length awoke with such terrific vitality. The explanation of their prolonged inaction is, however, neither obscure nor difficult. As the bourgs defeated the seignorial dominion in favor of the monarchical power, so were they themselves destined to yield to the power which they had so largely contributed to elevate. The principal causes of this vicissitude of fortune were, I think, as follows:

First. The Bourg became a petty and democratic republic in the centre of a vast and absolute monarchy. The spirit of the one was antagonistic to the spirit of the other. Laws

as immutable as the nature of man and of human society decreed that this inherent hostility should at last ripen into a mortal conflict. To that conflict the royal power advanced with overwhelming advantages.

For, secondly, when the Bourg had succeeded in wresting from the lord his seigneurie, the Bourg itself, as I have before remarked, became, by that very act, a seigneur. The feudal rights, and with them the feudal obligations of the lord, were not extinguished, but were transferred to the Bourgeois. Now those obligations were numerous, and burdensome, and indefinite. In every contest between the commune and the king, he successfully asserted his privileges as their suzerain, and they inevitably acknowledged their liabilities as his vassals. The privileges were continually extended—the liabilities as continually increased.

Thirdly. The burden of military service pressed on the bourgs with extreme severity at all times; but during the wars between the kings of France and England, those burdens became so oppressive, that, in many cases, the cities surrendered their charters and franchises, in order to escape so intolerable a liability. This took place, for example, at Roye in 1373, and in Neuville le Roi in 1370.

Fourthly. When the Parliaments of France, and especially that of Paris (as I shall hereafter have occasion to explain), acquired a supreme jurisdiction over all civil and penal causes, they employed it in subverting or undermining every municipal privilege which was opposed to the royal will, or which abridged the royal authority. For those Parliaments were originally composed of nominees and dependents of the king, who usually employed all their judicial astuteness in promoting what they regarded as his interest; except, indeed, when the prerogatives of the crown came into competition with their own powers, dignity, and emoluments.

Fifthly. In the exercise of their judicial power, the Parliaments established it as a principle of law that municipal charters were revocable at the royal pleasure—a principle which was not announced as a mere barren doctrine, but which was continually reduced to practice, as often as any municipality provoked the displeasure or jealousy of the sovereign.

Sixthly. By assisting the king to annihilate the seignorial

or aristocratic power, the bourgs had deprived themselves of any alliances in their future contentions with him. The Bourgeois were thenceforward brought into a direct and unaided collision with the power of the crown, enhanced as that power was by the adhesion to it of that new nobility, which had taken the place of the ancient feudal seigneurs.

Seventhly. The bourgs were isolated bodies, whom the king could attack and conquer in detail—not confederate bodies, like the great Italian cities, or the Hanse Towns in the north of Germany. The strength of the king consisted in the concentration of his resources; the weakness of the bourgs, in the wide dispersion and incoherence of the powers which they separately possessed.

Eighthly. In the contest with their sovereign, the French cities did not possess the advantage which, in that age, was enjoyed by the greater cities in Spain, Italy, Germany, and England—the advantage of commercial wealth and enterprise. There was not a single mercantile city in France which could have competed, in wealth, in manufactures, or in navigation, with Barcelona, Genoa, Venice, Bremen, Norwich, or Bristol. They could not oppose the power of the purse to the power of the sword.

Ninthly. But, of all the causes of their weakness and of their fall, the most important was, that their functions and powers were exclusively municipal, and were not at all political. At Florence, and Pisa, and in the other Italian republics, the government of the commonwealth was inseparable from the government of the corporation. Those municipalities waged war and made treaties with foreign states, and rendered to their nominal suzerain little more than a formal homage. The incorporated municipalities of England have, from the earliest times, assumed a large share in the political government of the kingdom, and, as early as the reign of Henry III., appeared by their representatives in the House of Commons. Their local rights were from the first regarded as inseparably connected with the national liberties, and, in the strength of their confederacy with the nobles and the people at large, they have ever maintained their own corporate franchises. Such, also, was the condition of all the municipalities which enjoyed the freedom of the city under the Roman

Republic. But it was otherwise in France. The subversion of the privileges of any particular French bourg did not appear to violate the rights of any of the constituted authorities beyond the walls of the city itself, and was, therefore, not resented as an injury to society at large.

Tenthly. These privileges were, therefore, one after another, overthrown by acts of the royal authority, which, though sometimes resisted, and especially by the city of Paris, resulted at length in a complete, though progressive social revolution. The detail of those acts belongs rather to the provincial than to the general history of France. I will attempt nothing more than to indicate some few of the more considerable steps of this retrograde movement.

The financial independence of the municipalities was the earliest object of attack. Their revenues were chiefly derived from tolls, from fines and forfeitures, from the octrois, and occasionally from tailles. Saint Louis and his successors forbade the imposition of octrois or of tailles without their own previous and express license. The same condition was subsequently imposed upon the resort to every other extraordinary measure by which the wants of the local treasuries could be supplied. When, to escape these restrictions, the bourgs borrowed money, the king again interposed to fix the time and the other conditions of the repayment of their debts. Sometimes he provided for the increase of the local ways and means by himself raising the scale of some existing impost; and sometimes he made orders for retrenching what he considered as a useless or an improvident expenditure.

These were, however, isolated measures. Their operation was limited to any particular place or places which seemed to the monarch to stand peculiarly in need of his superintending care. But, in the sixteenth century, this royal authority was exercised on a more comprehensive scale. Ordinances then appeared, diminishing the number and abridging the freedom of the members both of the constituent and of the elective municipal colleges. Those ordinances ascertained and enlarged the powers of the king over the finances of the bourgs, over the choice of their public functionaries, and over their administrative conduct in the discharge of their several functions.

In pursuance of those laws, and in the exercise of those ab-

solute and unlimited prerogatives with which he considered himself invested, Louis XIV. assumed the patronage of the various offices in the bourgs of France, which had till then been always filled up by popular elections, and sold his nomination of them to the highest bidder. To augment the number and the productiveness of such sales, he created many new civic offices, which were to be holden either in alternate years, or biennially, or for life, or as inheritances transmissible to the male heirs of the purchasers.

After these and similar invasions of the financial and official independence of the municipalities, the kings of France next made war on their judicial privileges. The Ordonnances of Orleans, of Moulins, of Blois, and of St. Maur, were successively passed for this, among other purposes, between 1561 and 1580; and, within that brief space of nineteen years, those enactments successively despoiled the civic tribunals of their jurisdiction, first in all commercial causes, then in all civil suits, and, lastly, in all cases of crime. Their competency was thus narrowed within the limits which circumscribe the powers of a magistrate of police, or of a court of requests; and even in those questions of police which immediately concern the health and the beauty of towns, the central power superseded the local authority in many essential respects; as, for example, by prescribing general rules to be observed in all bourgs as to the laying out of streets and the mode of building houses, and by appointing royal officers to superintend the sewers, the public thoroughfares, the markets, the weights, and the measures.

The general principle regulating the relations between the royal government and the privileged cities of France thus came at length to be, that they were to be regarded as in a perpetual pupilage, and the king as their guardian. Thus they were forbidden either to alienate or to mortgage their property without his license. To detect their past extravagance, they were required to send to the Royal Intendants of their respective provinces accounts of their receipts and expenditure during the ten years preceding the year 1669. To prevent their future waste, Louis XIV., in 1673, required that they should annually lay before the intendants, for their previous sanction, budgets of their expected income and of their intended outlay for the

ensuing twelve months; and the intendants were not at liberty to give that sanction without the express license of the royal council, if in any case the contemplated outgoings of the year should exceed a certain maximum, which was fixed for the annual expenditure of every such city.

Thus, one by one, all the powers of the municipalities were extinguished, with the exception only of such as afforded to the Bourgeois no exercise for ability, and no stimulus to ambition. From the position of independent commonwealths they had fallen to the state of parochial vestries. Originally they had enjoyed privileges which menaced the breaking up of France into a multitude of petty urban oligarchies, and which were actually fatal to the rural oligarchies of feudalism. Ultimately those privileges were destroyed by the monarchical ally with whom they had conducted their long and successful struggle against the seigneurs. They were then absorbed in the great and progressive centralization of all political power in France. During more than a century they remained helpless and impotent within its grasp; the least dreaded, but not the least formidable, of those springs the rebound of which was at length to rend asunder, with such terrific violence, the bands by which they had all so long been compressed.

Dec 1. 1852.

LECTURE VI.

ON THE ANTI-FEUDAL INFLUENCE OF THE EASTERN CRUSADES.

When Peter the Venerable proclaimed to indignant multitudes the profanations of the city of the Great King—and when St. Bernard announced to breathless crowds that "the Lord stood in need of their aid" (such were his own words), "or, rather, feigned to stand in need of it, that he might appear in their defense," "graciously willing to become their debtor, that so he might bestow pardon of sin and eternal life on them who should fight manfully in his cause"—both the impassioned hermit and the half-inspired saint were giving utterance to fears and to resentments by which the Christian world had been agitated during the six preceding centuries,

for so long had the dominion of the Mussulmans been attaining to its full growth and development. Though not without many vicissitudes, they had, throughout that long period, been still, on the whole, advancing. They had possessed themselves of Syria; they had subdued Egypt, and the Roman province of Africa; they had conquered Spain, and all the islands of the Mediterranean; they had ravaged the coasts of Italy; they had invaded France; and, notwithstanding the victories of Charles Martel and his successors, they had effected a settlement in Septimania; and now they were menacing the safety of Constantinople, the great outwork and rampart of Western Europe. To the statesmen of that age the farther progress of the Saracenic arms must have appeared as the most formidable of all dangers. To the great body of the people, the indignities offered by the Saracens to the Holy Sepulchre and to the pilgrims resorting thither, must have appeared the most revolting of all injuries. The enthusiastic many were then, of course, as at all other times, the unconscious instruments of the politic few. But it is not less a matter of course that the politic few became, in turn, the victims of their own spells, and themselves at length imbibed the passions which they excited.

Nothing is more easy than to detect the worldly motives which impelled the ruder population of the Western world to roll in eight successive and desolating torrents toward the shores of Africa and the East. The Crusader received a plenary indulgence, that is, the remission of all the penances by which, as he believed, his sins must otherwise have been expiated, either in the present life or in purgatory. During his absence, the Church became the protector of his wife, his children, and his estate. Whoever might injure them was declared excommunicate, ipso facto, and without any farther sentence. His debts ceased to bear interest from the day of his departure, even though he had bound himself by an oath to the payment of them. He was authorized to postpone, till the lapse of three years, the full payment of any debt which was then actually due. If his estate had been mortgaged, he was entitled to receive the whole produce of it, during the first year of his crusade, without any deduction for the benefit of his creditor. He was exempted from the payment of any

taille which might be imposed on his lands during his absence; and, finally, he might insist on receiving from his parents a tenth of their income for his own support.

Strong inducements these to a dissolute and necessitous multitude to abandon their homes for the excitements of an unknown, and, as it was supposed, a lucrative warfare. But it would be a libel on our common nature to ascribe to such causes alone, or chiefly, a movement which, during one hundred and fifty successive years, agitated every state and almost every family in Christendom. The dark mysteries of our existence, though little heeded in our own luxurious and mechanical age, pressed heavily on the spirits of those who lived beneath the tyranny and gloom of the feudal domination. In their struggle with those inscrutable enigmas of our mortal being, they yielded up their minds to a long succession of superstitious terrors, and the legends of those ages abound with prodigies far more strange than those with which Livy has made us familiar. Men were gazing anxiously on the stars, which were ready to fall and crush this antiquated globe. They saw on their own bodies the miraculous impression of the holy cross. Nuns and hermits, returning from their cells, alarmed the world with fearful anticipations. The saints, quitting their celestial abodes, reappeared on earth, to disclose to trembling man the awful behests of his Creator. Throughout the whole of Eastern Europe, Flagellants exhibited to admiring crowds their self-lacerated bodies. Vast multitudes of children assembled together, not for childish sports, but to pursue what they imagined to be the way to Jerusalem. Nay, Innocent III. himself announced, in a papal bull, that little more than sixty were yet to elapse of the six hundred and sixty-six years which the Apocalypse had assigned as the limit of the reign of Mohammed. In was an age in which all might observe, though perhaps but few could interpret those heavings and swellings of the popular mind which invariably indicate the approach of some great innovation in human affairs.

When, therefore, enraptured voices summoned the Western world to throw its accumulated forces on the followers of the False Prophet, they sounded to an incalculable host of listeners but as the audible expression of those vehement but indefinite emotions under which their own bosoms were already

laboring. That summons was re-echoed from one extremity of the European continent to the other. Monks exchanged their cowls for coats of mail. Aged men pressed onward in the hope of at least laying their bones in the Holy City. At the head of several ladies of high degree, the Countesses of Flanders and of Blois, and a daughter of the Duke of Burgundy, joined the sacred armament. Each prince, as he assumed the cross, found himself at the head of bands of devoted followers. There were not, indeed, wanting jesters in those days to enjoy the comedy, nor thrifty men to grow rich in the market thrown open to them by this strange excitement; but in the words of an eye-witness, "ii plerumque quos nulla adhuc eundi voluntas attigerat, dum hodie, super omnimodâ aliorum venditione cachinnant, dum eos misere ituros, miseriusque redituros affirmant, in crastinum, repentino instinctu, pro paucis nummulis sua tota tradentes, cum eis proficisebantur quos riserant." So ardent and so universal was this enthusiasm, that Anna Comnena declares that it would have been easier to reckon the leaves of the forest, the sands of the sea, or the stars of the firmament, than to count the Crusaders who rolled in interminable waves toward the shores of the Bosporus.

In more measured terms it may be stated, that, in the earliest of these expeditions, the Crusaders might have been calculated by millions, and very far exceeded the number of the followers of Xerxes, or any other invading army of which either the Western or the Eastern world retains an authentic tradition.

From the mysterious, the romantic, and the picturesque aspect of this passage in the history of mankind, we must, however, pass to investigate (as far as our time will allow) what was the effect of the Crusades in depressing the Feudal and elevating the Monarchical power in France. And, with a view to perspicuity (of all objects the most important in discussions of this nature), I will arrange the remarks I have to offer on that subject under twelve different heads, hoping that I may thus escape the confusion incident to the immediate juxtaposition of many topics, which are connected with each other by no logical sequence or natural arrangement, and may so be able to diminish the demand I must otherwise have made on your attention now and your recollection hereafter.

First, then, I will advert to the tendency of the Crusades to abridge the feudal power by diminishing the number of the serfs attached to the various seigneuries in France.

Slavery and feudality were inseparable concomitants. The wealth of a seigneur was composed of two elements, the land, and the laborers who cultivated the land; or, rather, his capital may be said to have consisted almost wholly in the command of compulsory and ill-requited labor, for land was then of little exchangeable value; whereas labor was deficient and of high price. According, therefore, to what may be received as a universal law, the spontaneous manumission of the feudal slaves was at that time impossible. It could be accomplished only by the intervention and the constraint of some external and superior power.

Feudal slavery was, however, mild and gentle in France, when compared with the state of slavery in ancient Rome, or in the European settlements in America. The French feudal slave was for the most part prædial, and attached to the soil; or, as our own law expresses it, was a villain regardant. There, indeed, he was bound to live and to labor throughout his whole life. But in many cases he was, in some sense of the word, the owner of the land on which he wrought. He rendered to the lord a stipulated rent in money or in kind; and though the property was continually liable to forfeiture by escheats, and could not be either abandoned or alienated by the serf without the lord's consent, yet, on the whole, the servile condition of such cultivators bore a much stronger resemblance to that of the present serfs in Russia, or to that of the ryots in Hindostan, than to that of a modern slave in Alabama or in Brazil.

The legal impediments to the manumission of the French serf were, however, many and formidable. An ecclesiastical seigneur was unable to enfranchise his serf, because such an act would have alienated a part of the property of the Church, which the canon law declared to be inalienable. A lay seigneur was unable to enfranchise the serf without the concurrence of each in turn of the various other lords, who, in the long chain of feudal dependence, might have an interest, mediate or immediate, or more or less remote, in the fief to which the serf belonged.

But the Crusades introduced, if not a new law, yet at least a new custom of enfranchisement. According to the Roman, and perhaps every other code, the *military* character was incompatible with the *servile* condition; especially it was so in the case of one whom they called Miles Dei. If, then, the serf could join the standard of a Crusader, and himself assume the Cross, he became free. No positive law, indeed, forbade the lord to reclaim him; but the universal sentiment of society was at once the source and the sanction of a tacit law of that kind.

To have withdrawn a soldier of the Cross from his high and holy calling, in order that he might resume his former menial employment, would have been to outrage the common feelings of mankind, and to provoke from them an insuperable resistance. Thus the murmurs of the seigneur, the legal objections of the canonists, and the claims of the suzerain, were all alike silenced by this military emancipation.

The Droit d'Aubaine gave to the seigneur a right to the services of any vagrant found on his fief after the lapse of a year and a day, unless, within that period, the vagrant had acknowledged himself to be the serf of some other lord; that is, the legal presumption in the case of all strangers was in favor of their slavery and against their freedom. But the effect of the Crusades was to reverse this presumption, and therefore to diminish the supply and the number of serfs; for those wars threw the whole population of France into unwonted habits of change of place. When Crusaders were wandering over the whole surface of the kingdom, it became no longer possible to consider, and to deal with, all wanderers as presumably slaves. Such persons were thus permitted to answer the usual challenge to name their owner, by declaring themselves vassals of the king. But a vassal of the king was necessarily free.

These new habits of locomotion also gave additional importance to another law, which eminently favored personal freedom. It was the law which presumed a valid title to liberty in any man who had passed a year and a day in any commune. The gates of such cities, as we have already had occasion to observe, were always wide open to those who fled to them as places of refuge, for thus establishing or acquiring their freedom. With the general dispersion of the people during the

assemblage of the crusading armies, the number of such fugitives continually increased, and the roll of the citizens was thus constantly augmented at the expense of the seigneurs and their fiefs.

Thus the Crusades tended *indirectly* to abridge the supply of rural labor, and to diminish the wealth and the power of the lords. They tended *directly* to the same end, because, to escape this otherwise inevitable loss, the lords voluntarily promoted the manumission of their bondsmen, and then allured them to remain on their estates, by assigning to them land to be holden on low and unalterable money rents.

Secondly. The Crusades tended to increase the strength and the number of the communes, which (as I have shown in my last lecture) were the natural foes and inveterate antagonists of the feudal power.

The communes were the great emporiums of commercial enterprise and capital in France. Now the Crusades created an enormous and fictitious demand for such capital; or, in other terms, they enhanced the value of money, and depressed the price of all other exchangeable commodities, to an extent never before or since known in the world. They therefore placed the Crusaders, who were every where anxious to raise money by the sale of what they possessed, at the mercy of the citizens, who alone had at their command the funds requisite for purchasing such possessions. Conceive of the effect, in that uncommercial age, of a simultaneous demand for money in every part of Europe, by tens of thousands of persons engaged in equipping themselves and their followers for the holy war. A well-filled purse could, at such a crisis, command bargains which the wildest imagination of the most unscrupulous extortioner would in other times have regarded as fabulous. In the first volume of Robertson's History of Charles V., you will find many curious examples of this state of the money market during the two first Crusades. The Counts of Foix and of Hainault actually sold their sovereignties. Richard I. put up to sale even the office of grand justiciary; and is said to have declared that he would sell London itself if he could find a purchaser. Many of the French seigneurs recklessly alienated the only means of their future subsistence—their lands, houses, furniture, and castles; and in the midst

of this general ferment the calm and wealthy Bourgeois made their purchases. They bought many things of the distressed but enthusiastic warriors of the Cross, but especially civic rights, which (as an author of that day declares) the seigneurs would at any other time have died rather than have conferred.

But it was not merely by the science of the counting-house that these associated merchants at this period acquired or increased their corporate franchises. During the absence in Palestine of many a gallant knight, lawless encroachments on his seignorial privileges were in progress, and were gradually, but securely, ripening into indestructible liberties. The king willingly lent his aid and his authority to such usurpations; for to multiply communes was to increase his own powers, because in every commune he was the immediate and the only seigneur. Royal letters patent were therefore easily obtained for the creation of them, when the seigneur was not at hand to resist the grant. Returning from the camp before Acre or Constantinople, he found, to his dismay, in the centre of his own feudal territories, a camp of another kind—an intrenched position over which the royal standard waved, and in which his own dominion was no longer acknowledged, but where many of those had taken refuge on whose allegiance and fidelity his station, rank, and fortunes were dependent.

Thirdly. The Crusades tended to terminate those private wars by which the seigneurs asserted and maintained their powers.

In those wars, the lords commanded not merely their feudal retainers, but bands who, like the Condottieri of Italy, followed any chief whose reputation allured and whose wealth could maintain them. When the military power of France was directed against the Eastern world, these bands swelled the trains of their former seignorial leaders. It is difficult to doubt that, when the French kings plunged with such seeming recklessness into the holy war, they really foresaw and designed this advantage to themselves and to their more peaceable subjects. No policy could be more obvious or more attractive than that of thus delivering France from the scourge of private wars, and of the ferocious and undisciplined troops by whose aid they were so often conducted. Sixty years before the earliest Crusade, the Church had, with the same be-

neficent purpose, proclaimed the Trêve de Dieu. But the Crusades themselves promised a much more effectual remedy; nor was that promise unfulfilled. In the words of an historian of that age, "Innumeris populis ac nationibus ad sumendam crucem commotis, repentè sic totus penè occidens siluit, ut non solum bella movere, sed et arma quempiam in publico portare, nefas haberetur."

The same writer (Otto of Friesland) has a whole chapter on the various wars which were composed by the expedition to Palestine. There may, perhaps, have been some tendency in that age to exaggerate the benefits of the Crusades; but it is at least certain that, with the close of them, both the practice and the right of undertaking private wars were brought to an end. In a future lecture, I propose to explain how such wars were finally prohibited by St. Louis, whose ordinances on that subject owed much of their vitality to the new modes of thought and action which the Crusades had nurtured. It was an innovation dictated by the piety and the humanity of that illustrious prince, but which tended strongly, though perhaps undesignedly, to destroy one of the powers which had made the seigneurs most formidable—to subordinate their authority to that of their sovereign—and to bring them under the wholesome control of public opinion.

Fourthly. The Crusades contributed largely to restore the Roman law in France, and therefore to subvert the customs on which, as on its basis, the Feudal power rested. During many years after the reign of Theodosius, the code which bears his name was received and prevailed both in the Greek and in the Latin empire. It was afterward superseded in the East by the code of Justinian; in the West by the Barbaric codes, and especially by those of the Franks, the Goths, and the Burgundians. But there always lingered deep traces of the Roman jurisprudence to the southward of the Loire. When, therefore, the Crusaders returned from Constantinople, and brought back with them the attachment and reverence which they had there acquired for the code of Justinian, they found in Guienne, Languedoc, and Provence, a soil ready for the reception and nourishment of the seeds of this new jurisprudence. Bologna, indeed, enjoyed for a long time a species of monopoly of this kind of knowledge and instruction; but it spread progressively

over France, and eventually stifled the growth there of the legal maxims which, during three centuries, had maintained and consecrated that which may be termed the political code of Feudalism.

Fifthly. The Crusades contributed directly to change the judicial institutions by which the law was administered, and so to favor the introduction of the laws of Rome.

The courts of justice in that age in France, as I shall hereafter have occasion to explain, were either royal, or seignorial, or communal. The court of the seigneur was holden by himself, or by a judge of his appointment, assisted by the chief vassals, knights, and squires of the fief. But, during the Crusades, these courts fell into neglect or desuetude, partly because the lord himself, and a large proportion of his vassals, were absent in the East, and partly because the Bourgeois, who, as has been shown, had become the purchasers of large numbers of the baronial fiefs, were always prompt to enlarge the communal at the expense of the feudal jurisdiction. In those populous and wealthy cities were usually to be found men of leisure and of studious habits—men well disposed to exalt the authority of the Roman law, favorable, as it was, to municipal privileges, and opposed, as it was, to the barbaric or feudal institutions—and men perhaps yet more disposed to advance the authority of a code which afforded such abundant exercise for the astuteness of the legal profession, and such ample scope for elevating the rank of its members and augmenting their emoluments. The progress of our own tribunals in the work of covert, though real legislation; in the enactment of laws under the form and pretext of interpreting law; and in the usurpation of powers foreign to the original objects of their existence, will readily illustrate the mode in which the communal courts of France succeeded (to borrow one of our own legal phrases) in ousting the baronial courts from their traditionary and admitted functions. The motives in either case may not have been sublime; but in each, the general result was eminently beneficial. Westminster Hall did not wage a more determined or more successful war against the ecclesiastical judges, than was carried on by the communal against the feudal jurisdiction in France. Eventually, indeed, the royal courts subdued and superseded the conquerors

themselves; and then, among other less momentous victories, they abolished the old feudal trial by wager of battle. Thus, while the crusading seigneurs were erecting royal thrones at Jerusalem and Cyprus, they were forfeiting the judicial thrones, which had long been the main buttress of their strength, both in Southern and Northern France.

Sixthly. The Crusades were fatal in many cases to the maintenance of the ancient relations of the feudatories and the royal suzerains to each other. The numerous sales of fiefs by their owners to raise funds for the service of the holy war had frequently the effect of consolidating many such possessions in the same hands. Thus two or more smaller fiefs were in those times often thrown into one large fief; and yet, more often still, the numerous links of the chain which connected the actual possessor of the soil with the ultimate suzerain were annihilated. The wealthy commune, or the rich merchant, bought out, as we should say, the whole line of seigneurs to whom fealty and homage were successively due; and the king became the immediate and the only suzerain of lands to which his title had before been far more remote and imperfect.

Till the Crusades it was an established principle of the feudal law, that no roturier could acquire or hold a fief. But the citizens of the Bourgs, who belonged to that class, were the only persons rich enough to purchase such properties. What was then to be done to reconcile their absolute inability in point of law, with their exclusive ability in point of fact, to make such purchases? Philippe Auguste solved this difficulty by a law, which declared that the royal investiture of any man with a fief raised him from the rank of a roturier to that of a noble. Thenceforward, therefore, the plebeian citizen, on buying such an estate, and on obtaining from the king the investiture of it, became a patrician. No more deadly blow could have been aimed at one of the vital principles of Feudalism. The jurisdiction, the powers, and the dignities of a chieftain ceased to be the inalienable attributes of an hereditary caste. To the great scandal, no doubt, of many whose ancestral legends boasted of deeds done at Tours or at Roncesvalles, there appeared a new class of seigneurs, Goldsmiths perhaps, or Mercers, or even Vintners, who continued to live in the cities

where they had grown rich, preferring the profits of the exchange, or the pleasures of a civic banquet, to the unwonted solitude and the hazardous duties of a châtelain.

Now the coincidence of these three circumstances—first, the consolidation of fiefs; secondly, the immediate approximation of the king to the seigneur in possession as his only suzerain; and, thirdly, the transfer of many such estates from military chieftains to mercantile men—tended at once to exalt the monarchical, and to depress the feudal authority. The king had less rivalry to encounter from his new feudatories. The new or commercial seigneur had less disposition to contend with his royal superior. An increased aggressive force was opposed to a diminished defensive resistance.

Seventhly. The Crusades tended to impair the power of the feudal chiefs by changing the whole military system of Europe. The structure of feudal armies was essentially defensive. They were unfit for foreign conquest, or for any prolonged or extended belligerent operations. As a general rule, a chief was entitled to the service of his retainers in the field only during forty successive days; but, in the invasion of the Holy Land, it was impossible to adhere to this, or to any other definite limitation of time. The leaders of those expeditions, therefore, claimed and received the submission of their followers for periods indeterminate, but far exceeding the extent of their strict legal liability; and in this, as in other cases, the unopposed encroachments of power gradually, though silently, ripened on the one side into the right to exact, and on the other side into the obligation to render, similar obedience in all future and analogous cases.

Besides, to the safe conduct of so vast an enterprise, unity of command, strictness of discipline, and the prompt obedience of all inferior officers to the leader of the host, were so manifestly indispensable, that not even the pride and the prejudices of the feudal lords who followed in the train of Godfrey, or of Boniface of Montserrat, could withhold from those great captains that supreme and absolute power. This practice of moving armed men in vast masses, and on distant enterprises, under the guidance of one all-controlling will, soon became habitual in all the states of Europe. It was, however, the very antithesis and contradiction to the feudal principle, which

till then had been recognized in them all. That principle required the division of all such forces under a body of military aristocrats or oligarchs; submitting, indeed, during a few weeks, to the same commander-in-chief, but rejecting, even during that brief period, the superiority in the field of any officer subordinate to him. When the object of European warfare ceased to be the conservation, and came to be the acquisition of power, Feudalism began to take its place among obsolete and antiquated institutions.

Eighthly. That result was yet farther expedited by novelties which the Crusades introduced, not merely into the science of strategy, but also into the composition, the support, and the conveyance of armies; for from the time of those expeditions may be dated the first appearance of the four great military departments, which have ever since been considered not less essential to the successful conduct of a war, than even the office of the general himself. A feudal force marched without a commissary to provide the requisite supplies of food and clothing; or a quarter-master to superintend the execution in detail of the movements which the leader had directed; or an ordnance officer to furnish and conduct the necessary weapons and munitions of war; or an engineer to baffle the natural or artificial obstacles which might impede the progress of the invading host. But when vast bodies of men were to march across distant territories, whether allied or unfriendly; and still more, when they were to be embarked on long and remote voyages, then these parts of the mechanism or organization of regular armies became evidently indispensable. Then, also, was first brought into use the function of the provost-marshal, the executive officer by whom strict discipline is maintained, and who, whether on shipboard or ashore, superintends the military police. Now these innovations were not only incompatible with the belligerent system of the Feudal Dynasty, but were eventually destructive of that system; for no one nation could ever return to those ruder arts of feudal warfare, when all nations had been taught these more comprehensive arrangements of a scientific campaign.

Even yet more effective in the same direction was the change which the Crusades introduced in the comparative estimation in which horse and foot soldiers had till then been held.

You have only to open Monstrelet or Froissart to see with what contempt the feudal lords and their favored followers regarded that arm of the service which we now distinguish as the Infantry. The best titles they get from the aristocratic writers are those of Roturiers, Paysans, and even Brigands, to which are added a thick fire of contumelious, though to myself unintelligible, nicknames. On the other hand, the seigneurs, the nobles, the knights, and esquires, with their admiring chroniclers, bestrode well-bred and well-managed steeds, covered like themselves with coats of mail or chain armor; and rode up and down the field like so many movable forts, against which the swords and missiles of the plebeian footmen were directed in vain. But when these gallant cavaliers were to embark for Acre or for Tunis, their horses proved most unmanageable encumbrances in the transports of those days. When they landed there, they had to encounter troops far better mounted than themselves, and still more expert in all equestrian exercises. But as often as they were constrained, by these and other causes, to quit the saddle, the knights and seigneurs found to their own surprise that, when drawn up on foot in line of battle, they could resist the charge of the best appointed cavalry with a far greater steadiness and success than when fighting in what had at first seemed more advantageous terms. Thus, therefore, the infantry gradually rose in favor and consideration, and the Venetian Sanutus (an eye-witness and historian of some of those campaigns) is quoted by modern writers for the statement, that it had passed in his times into a maxim, that an army in the East ought to be composed of fifteen foot soldiers for every horseman. The quotation may perhaps be inaccurate (for I have not verified it); but it is at least certain that the Crusades greatly abridged (though they did not annihilate) the wide chasm which till then had separated the rank of the mounted cavalier from that of the more humble Fantassin; and that with the fall of this social distinction between the two classes, fell also much of the political distinction which had so long and so highly elevated the feudal seigneur above the free men whom he held in vassalage and led to battle.

Ninthly. I pass over without comment the effect of the Crusades in augmenting the wealth and power of the Papacy, and

in calling into existence the new or Mendicant orders: the first, the head of all monarchical authority; the second, the leaders of all democratic power in the then European world. A more convenient place for these topics will occur in the lecture which I hope hereafter to address to you, On the action and reaction of the Ecclesiastical and the Civil states in France on each other. For the present I confine myself to the remark, that monarchy in all its forms (and therefore in the papal form), and democracy in all its developments (and therefore in the Franciscan and Dominican developments), were the irreconcilable, and at length the triumphant, antagonists of that stern aristocracy which the feudal chieftains had maintained in France during three successive centuries.

But, tenthly, the growth and the influence of the great military orders during the same era falls more immediately within the range of the inquiry in which we are at present engaged. Whatever may be the truth or the falsehood of the frightful imputations by which those orders were at length overwhelmed, it would be an idle prejudice to doubt that their original designs were noble, humane, and pious. When the Christian cavalier was about to abandon the home of his ancestors, and the scene of his own youthful sports and studies, for the defense or conquest of the Holy Sepulchre, he not seldom summoned to his aid all the profound hopes and recollections which kindle the self-devotion of the martyr and the zeal of the missionary. He often began his perilous enterprise by passing through what he and others regarded as a religious and an awful ceremonial. The bath in which the knight was plunged was suggestive of a retrospect to a far more sacred and mysterious baptism. The white robes in which he was arrayed symbolized the personal purity to which he pledged his honor and his faith. The kiss which greeted his admission into an order of chivalry reminded him that he was a member of that Holy Church, in which an apostle had enjoined the observance of the same emblem of a spiritual brotherhood. The society, at once warlike and religious, into which he passed, was emblematic of the Church Militant here on earth. Becoming a knight companion of St. John of Jerusalem, of the Templars, of the Teutonic Order, or of the Hospitallers, he was bound to do battle to the death against the Infidels—to combat the world

also, and the flesh and the devil—to support the weak—to minister to the sick—and to protect the pilgrim. How well these vows were sometimes performed is attested by the histories of Rhodes and of Malta. But for my immediate purpose it is more material to observe, that these devoted champions of the faith gave to the kings of France the command of a new and formidable militia; a militia not dependent on the caprice or on the aids of his feudal lords, but animated by an undying zeal, and prompted into ceaseless activity; waging war sometimes as the followers and sometimes as the allies of their sovereign, but in either case diminishing the royal dependence on the feudal seigneurs, and in the same proportion diminishing the strength which those seigneurs had so long derived from holding their king in the bonds of that dependence.

Eleventhly. The Crusades, more than any or than all other causes, laid the foundations of those commercial enterprises, which, since that period, have never ceased to occupy the attention, or to increase the wealth and to secure the liberties of the maritime powers of Europe. Though not among the most persevering, France was among the earliest of the competitors for these advantages. But in France, as elsewhere, there was and could be no reconcilement or compromise between the free spirit of commerce and the despotic spirit of feudalism. Every where, and at all times, the merchant has been the successful antagonist of the seigneur.

Before the discovery of America, the great trade of the world consisted in the interchange of the products of the Asiatic with those of the European continent. It was conducted through two routes, the northern and the southern. The northern route lay through the Caspian Sea, thence to the Wolga, so overland to the Don, and then down that stream to Trebizond and Constantinople. The southern route lay through the Red Sea to Suez, and so to Cairo, and then down the Nile to Damietta and Alexandria. Thus the capitals of the Greek empire and of ancient Egypt became the two great emporiums for the supply of Europe with the merchandise of the East. At the period of the Crusades, that merchandise was chiefly composed of silks wrought and unwrought, of fine linens and cotton fabrics, of sugar, of drugs, of spices, of diamonds, pearls, and other precious stones, of silver and of gold. The temporary conquest

and occupation of these great marts by the Crusaders awakened in them, and through them in the inhabitants of Western and Northern Europe, a taste, till then scarcely known there, for these luxuries. The natural, or rather the inevitable, consequences promptly followed. The most solemn vows to rescue or to defend the Holy Sepulchre were forgotten by many a champion of the Cross in his too diligent search for pepper, nutmegs, and cinnamon. Disguised in Oriental robes and turbans, many a once ardent pilgrim undertook the exploration of new routes to Cashmere or Golconda. Returning homeward, they concerted, and especially with the merchants of Venice, Genoa, and Pisa, the establishments of Eastern entrepôts of trade as rivals to Constantinople and Alexandria. Ere long the Pisans had formed factories at Tyre, at Antioch, and at Acre. The Genoese founded a flourishing colony at Jaffa. The Venetians actually put up to auction the islands of the Archipelago which had fallen to their share in their victories over the Greek empire; and thus the city of Gallipoli on the Hellespont, Naxos, Paros, Milo, Lemnos, and Herinea, became commercial establishments of the Dandolos, the Viaris, and the other senators of the Palazzo di Santo Marco. Stranger still, the Marseillois and other French citizens obtained a possession, half warlike, half mercantile, of the Morea, of which William de Champlette became the nominal prince. Louis, count of Blois, assumed a feudal sovereignty at Nicæa in Bithynia, with the title of Duke. One Regnier de Trit, a gentleman of Hainault, appeared at Philipopolis in Thrace in a similar character; and that these trading principalities might attain to their complete anti-classical climax, Otho de la Roche, a Burgundian seigneur, erected his throne beneath the shadow of the Parthenon; and, rejoicing in a title which Alcibiades might have envied, was hailed as Duke of Athens and great Lord of Thebes: "Duc d'Athènes et grand Sire de Thèbes." Those French settlements were, indeed, formed rather to gratify the ambition of the military chiefs who commanded them, than to promote the speculations of the traders who settled there, for the worship of the goddess Glory is no modern form of idolatry in France. In fact, however, they promoted the commercial much more than the political or the military views of the settlers; and when the French were eventually expelled from these Greek

and Asiatic conquests, they still answered the more vulgar purposes of the Lombards in the South, and of the Hanseatic confederacy in the North, by whom Paros, and Nicæa, and Philipopolis, and Thebes, and Athens were reasonably, though perhaps not very poetically, regarded as so many admirable stations for the counting-house.

France did not ultimately participate to any great extent in the commerce with the East which her arms had thus thrown open to the Italian and the German speculators. The genius of her people has never been eminently commercial. But she felt deeply and lastingly the influence of the great innovation in the trade of the world of which the Crusades were at once the commencement and the cause. For the first time in her history she then became a maritime power. Till the return of Philippe Auguste from the Holy Land, France had been accustomed to hire from the Genoese and Pisans the tonnage required for the conveyance of her armaments to the East; but, taught by the observations which they had made during those voyages, the French studied the arts of naval architecture and navigation, and became ship-builders on their own account. They at the same time adopted the use of the mariner's compass, and claim to have been the authors of that maritime code called the Laws of Oleron, of which England acknowledged the authority, and which, if the text writers of our own law may be trusted, were first formed and promulgated by Richard I.

While pursuits such as these grew in popular estimation, the feudal lords insensibly, though rapidly, descended from the social eminence on which they had hitherto stood. They ceased to be the great depositories of the national wealth. Their estates, and even their dignities, gradually passed into the hands of men enriched, not by royal grants or by military plunder, but by the sale of wine, and oil, and silk, by money-lending and brokerage, by invoices and bills of lading. In the seventeenth and eighteenth centuries, when genealogy was still a favorite study in France, few if any of her illustrious families could really trace back the nobility of their ancestors beyond the Crusades; for those families which had been noble at a yet earlier period had, under the silent influence of these changes of fortune, given place to houses which had till then been

merely roturier. It is not in England that we shall seek in vain either for an explanation or for examples of a similar rise of plebeian and fall of patrician families. But it is in England that we shall best find proof of the wisdom of continually recruiting the political aristocracy from all those ranks of men to whom the popular mind will ever ascribe an aristocratic dignity; from the foremost in arms, in senatorial eminence, in forensic triumphs, in territorial or in commercial wealth. The ancient French seigneurs despised and rejected such alliances, until they were themselves despised and rejected as allies by the noblesse who had superseded them. The same error was committed again by the nobles of modern France, and with the same disastrous results. If the courtiers of Louis XV. had well pondered the history of their country, both before and after the Crusades, they might have foreseen that just as the *novi homines* of the fourteenth century had usurped and crushed the Feudal power, so the Bourgeois of the eighteenth were about to usurp and to crush their own.

Twelfthly. The Crusades contributed to diffuse over Western Europe an intellectual light fatal to that barbaric darkness which had first nourished the germs, and had then fostered the growth of the Feudal power.

It was the boast of Rome that she civilized those whom she conquered. It was at once the better founded and the nobler boast of Greece, that she civilized her conquerors, and subjugated, by her superior wisdom, those who had subdued herself by their superior force. Degenerate as were the Greeks at Constantinople in the Middle Ages, they might still assert their hereditary title to this species of intellectual triumph. They still spoke the language of Homer, and of Plato, and of Chrysostom. They still preserved and admired the Olympian Jupiter of Phidias, the Venus of Praxiteles, and the Juno of Lysippus. The Corinthian Horses, which now stand before the Church of St. Marc, and which once stood between the Louvre and the Tuilleries, were then among the embellishments of the capital of the East. To their Saracenic invaders they imparted the knowledge of Aristotle, and of many other less illustrious Greek philosophers. Availing themselves of these new lights, the Arabs established at Cairo, at Bassora, at Fez, at Tunis, at Alexandria, and in many other cities,

schools for translating and teaching the treatises on medicine, astronomy, geometry, and chemistry which they had demanded and obtained from the Byzantine emperor. They founded for the same purpose a still more celebrated college at Salerno, which supplied the great Benedictine monastery of Monte Casino with at least one of its most eminent scholars. When, in their turn, the crusading Franks laid siege to Constantinople, they also, in turn, drew instruction from the ever salient fountains of Grecian learning. In that age of tardy and difficult communication between remote countries, as in the times of Pythagoras and Herodotus, knowledge was to be acquired chiefly by toilsome foreign travel, and by the personal intercourse with each other of learned and inquisitive men of different and distant nations. And as in the eighteenth and nineteenth, so in the twelfth and thirteenth centuries, a French invading force was seldom unattended by savans skillful to scrutinize, and prompt to appropriate, the literary wealth of the lands through which they passed. Traversing the Greek empire, and many of the Saracenic provinces, those half military scholars gathered, in each, the learning and the arts which, originally issuing from Athens and Corinth, had been cherished at Constantinople, and had thence been transplanted by the Moslem into Syria, and Africa, and Egypt.

In imparting these stores of knowledge to Western Europe, the Arabs proved themselves more zealous and more successful than the Greeks. The moral and the physical sciences were in that age far better cultivated and understood on the banks of the Nile than on the shores of the Hellespont; and, amid the disasters of his Egyptian crusade, St. Louis found the leisure to examine, as he had the candor to admire, the noble collections of books formed by the care of the later Emirs. The library of La Sainte Chapelle, at Paris, though the germ of the Bibliothèque du Roi, was originally nothing more than an imitation, by that great man, of the treasury of learning which the Calif Almamon Abdallah, and his successors, had extorted from the fears of the Byzantine court. The French universities caught and propagated the flame which thus, even amid the shock of arms, was kindled in the bosoms of some studious men. The morals, the logic, the politics, and the physics of Aristotle took possession of the schools of

Paris; and though, at first, they were placed by a provincial council holden there among heretical books, and sentenced to the flames, yet, in the lifetime of St. Louis himself, they had found in his friend, St. Thomas Aquinas, a commentator who devoted five volumes to the reconcilement of the doctrines of the Stagyrite with those of the Evangelists. And then came forth, and especially from our own land, that wonderful race of men, the seraphic and irrefragable doctors, whose peculiar office it was to exercise and educate those faculties of the human mind which were destined in a later age diligently to interrogate nature, and humbly and faithfully to record her answers.

Philosophy was not the only intellectual conquest achieved by the Crusaders. They opened to the European world a far more exact and comprehensive insight than it had before possessed into the science of geography; and then, for the first time, since the rise of the Crescent in the East, Armenia, Tartary, and India were explored by missionaries of the Cross. Thus St. Louis dispatched to the Grand Khan of Tartary the friar William de Rubruquis, or Ruystrock (for he was a native of Brabant), and the Venetian Sanutus prepared, for the use of the Crusaders, a series of maps of the Asiatic shores of the Mediterranean. Jacques de Vitry also composed a history of the East, which he is said to have illustrated by a map of the world.

But to the Crusades, history is even yet more indebted than geography, for they gave birth to a new and admirable race of historians. Till then the political and military events of the world had been chronicled exclusively by monks, most of whom were as credulous as they were ignorant. There were not wanting such monkish narratives of the holy wars. Many have been published, and there is reason to suppose that many more even yet remain in MS. But in those great movements of the world, two French knights, Villehardouin and Joinville, were happily prompted by religion, by patriotism, and by loyalty, to record for the information of future ages the actions which they had themselves shared or witnessed. They might have found successful rivals in the Cardinal de Vitry and the Archbishop of Tyre, if, unfortunately, both of those churchmen had not been too learned to employ their mother tongue

on so solemn an occasion. The Latin of the ecclesiastics is reserved for the curious few. The antique and picturesque French of the military annalist is for all readers and for all generations. It is their peculiar honor to have been the founders of that literary school in whose works France is so pre-eminently rich — a school of which Froissart, Philip de Comines, Sully, D'Aubigné, De Retz, and St. Simon are the most illustrious ornaments—and whose characteristic distinction it is at once to inlay the field of history with the most amusing and pathetic biographical incidents, and to cast over it all the warm glow of dramatic action.

It would be easy to prolong the examination of the various impulses which the Crusades gave to the growth and development of sound knowledge; but enough may have been said to indicate the general relation which subsisted between those expeditions and that result; nor can it be necessary to enter at all into either the proof or the illustration of the fact, that as art, and science, and poetry, and philosophy, and geography, and history flourished, Feudalism declined. Each new ray of light which shot across the gloom, disclosed more and more clearly to the seigneurs the instability of their tenure of power, and to their serfs and free vassals the means by which they might vindicate their freedom; for of all the varieties of political institutes under which the nations of the earth have ever lived, the Feudal system is perhaps the only one which, during its existence, was sustained by no popular enthusiasm, and which, after its overthrow, was followed by no popular regrets. It was a protracted reign of terror; and, so far as I am aware, no trace exists, either in the lighter or in the more serious literature of the Middle Ages, of any sentiments having been entertained by the people at large toward the châtelains, the barons, and the seigneurs, under whom they lived, but such as terror invariably inspires. The writers of romance and poetry in our own age have found their account in depicting the brilliant spectacles which the society of Europe is supposed to have exhibited in those warlike times, and in giving utterance to the patriarchal attachment and to the loyal reverence by which they have imagined the actors in those scenes to have been animated. When we deliberately enter Fairy Land, we of course expect to be greeted with fairy tales; but

if we are willing to quit the world of fiction for the world of realities, we must acknowledge that Feudalism was nothing better than a stern, relentless, and unmitigated tyranny; the nearest approach which has ever been made in the Western world, and in the lands which Christianity has claimed for her own, to the blighting and heartless cruelty which divides and governs the nations of the East by the institution of separate and indelible castes. Feudalism, indeed, had its appointed office in the history and progress of Christendom. It was the discipline through which it was necessary for mankind to pass in their progress to social improvement and civilization. The Crusades, guilty, insane, and wasteful as they were, had also their destined purposes to serve. Among them, not the least important was that of bringing the feudal discipline to a close as soon as the office assigned to it had been accomplished.

But during the invasion of Africa and the East by the European world, there arose in the bosom of France itself another Crusade, teeming with results even yet more momentous in the constitutional history of that country. I refer to the war of the Albigenses, which issued in the conquest of Southern by Northern France, and in the addition to the domain of the French kings of all the sea-coast and of all the rich territories which connect the Alps with the Pyrenees. On that subject I propose to enter when we next meet.

Dec 2. 1852.

LECTURE VII.

ON THE ANTI-FEUDAL INFLUENCE OF THE ALBIGENSIAN CRUSADES.

Having in my last lecture considered the influence of the Crusades in elevating the French Monarchy on the ruins of the Feudal Confederation of France, I proceed to inquire how far the war against the Albigenses contributed to the same result. It was no common contest. It was a prolonged tragedy, enacted in a conspicuous theatre by characters boldly contrasted with each other, and closing in a catastrophe which revealed, even to the most heedless spectators, the controlling presence

of that divine agency which alone imparts to human affairs their true though mysterious significance.

In passing from one epoch of the history of France to another, I have thus far chiefly, if not exclusively, endeavored to throw light on each by commentaries rather than by narrative, assuming that they whom I have had the honor to address as my pupils were already well apprised of those historical events to which I have had occasion to refer. But at the present stage of my progress I do not venture to rely on that assumption; for in most, if not in all the histories of France, the Crusade against the Albigeois appears and reappears at intervals, so frequent yet so remote from each other, as to be destructive of all continuity of thought and of all distinctness of recollection on the subject; nor have I happened to meet with any unbroken account of those wars which gives a clear, exact, and compendious view of their origin, their progress, and their results. The following very rapid summary will not, indeed, supply that defect; but it will (I trust) enable me to render intelligible to all my audience remarks which might otherwise convey no very definite meaning to some of the younger members of it.

At the accession of Philippe Auguste, the greater part of the south of France was holden, not of him, but of Pedro of Arragon, as the supreme suzerain. To the Arragonese king belonged especially the counties of Provence, Forcalquier, Narbonne, Beziers, and Carcassonne. His supremacy was acknowledged by the Counts of Bearn, of Armagnac, of Bigorre, of Comminges, of Foix, of Roussillon, and of Montpellier; while the powerful Count of Toulouse, surrounded by his estates and vassals, maintained with difficulty his independence against him.

To these extensive territories were given the names sometimes of Provence, in the larger and less exact use of that word, and sometimes of Languedoc, in allusion to the rich, harmonious, picturesque, and flexible language which was then vernacular there. They who used it called themselves Provençaux or Aquitanians, to indicate that they were not Frenchmen, but members of a different and indeed of a hostile nation.

Tracing their descent to the ancient Roman colonists and to the Gothic invaders of Southern Gaul, the Provençaux regarded with a mixture of contempt, of fear, and ill will, the inhab-

itants of the country north of the Loire, who had made far less progress than themselves, either in civil liberty, or in the arts and refinements of social life.

For the traditions of their ancient Roman franchises had never entirely died away among the people of Southern Gaul. Though often overrun by the Franks, under the two first dynasties, they had never been effectually subjugated; and Toulouse, Marseilles, Arles, Beziers, and many other of their greater cities, emulous of the Italian republics, with whom they traded and formed alliances, were themselves living under a government which was virtually republican.

Each of these free cities being, however, the capital of one of the greater lords among whom the whole of Aquitaine was parceled out, became the seat of a princely and luxurious court. A genial climate, a fertile soil, and an active commerce, rendered the means of subsistence abundant even to the poor, and gave to the rich ample resources for indulging in all the gratifications which wealth can purchase. The enjoyments thus brought within their reach were eagerly seized and recklessly abused. They lived as if life had been one protracted holiday. Theirs was the land of feasting, of gallantry, and of mirth. But they were too great adepts in the joyous science they professed, to be satisfied with the delights of sense in their coarser and less sublimated forms. They refined and enhanced the pleasures of appetite by the pleasures of the imagination. They played with the stern features of war in nightly tournaments. They parodied the severe toils of justice in their courts of love. They transferred the poet's sacred office and high vocation to the Troubadours, whose amatory and artificial effusions posterity has willingly let die, notwithstanding the recent labors of MM. Raynouard and Fauriel to revive them. Nor is any one who has looked into the works of those learned commentators ignorant that the Chansons and Sirventes which charmed the courts of Toulouse and St. Gilles indicated a state of society such as never has existed and never can exist among men, except as the herald of great and of swiftly approaching calamities.

The imputations of irreligion, heresy, and shameless debaucheries, which have been cast with so much bitterness on the Albigenses by their persecutors, and which have been so zeal-

ously denied by their apologists, are probably not ill founded, if the word "Albigenses" be employed as synonymous with the words Provençaux or Languedocians; for they were apparently a race among whom the hallowed charities of domestic life, and the reverence due to divine ordinances, and the homage due to divine truth, were often impaired, and not seldom extinguished, by ribald jests, by infidel scoffings, and by heart-hardening impurities. Like other voluptuaries, the Provençaux (as their remaining literature attests) were accustomed to find matter for merriment in vices which would have moved wise men to tears.

But if by the word "Albigenses" be meant the Vaudois, or those followers (or associates) of Peter Waldo who revived the doctrines against which the Church of Rome directed her censures, then the accusation of dissoluteness of manners may be safely rejected as altogether calumnious, and the charge of heresy may be considered, if not as entirely unfounded, yet as a cruel and injurious exaggeration.

In the unrestrained license of speculation which invariably succeeds to such a revolt as theirs from ancient authority, many rash and dangerous theories have, as we too well know, been always hazarded; and it is, therefore, not reasonable to refuse all credit to the statement of the historians hostile to them, that, among the Albigenses, there were not wanting some who gave such scope to their fancy as almost to destroy the whole system of revealed truth. But from the same testimony we may infer, that these were the few exceptions, and that, in general, they anticipated and held the same doctrines which, after the lapse of three centuries, were to be promulgated by the Reformers of Germany and of England. Unless we will argue and agree with Bossuet, we must believe that the extravagancies of opinion which freedom of religious thought will infallibly generate in feeble or presumptuous minds, derogate nothing from the conclusions which, in the exercise of the same freedom, have been established by the more wise, devout, and teachable Reformers of the Church.

It was with deep foresight and anxious forebodings that Innocent III. was at this time watching the progress of the new-born spirit of intellectual independence among mankind. His immediate predecessors, in their struggle with the two

Henrys and with Frederic Barbarossa, had disregarded, if they had not encouraged it. But Innocent was incapable of temporizing. Called in the vigor of his age to wield that unlimited empire over the minds of men, of which Hildebrand had laid the foundations, he was conducted by a remorseless logic to consequences from which his heart must have revolted if it had not been hardened by the possession of absolute power, and inflamed by the indulgence of a morose fanaticism; for God had given him a mind not incapable of generous emotions, with an intellect large enough to comprehend, and a will sufficiently energetic to control, the widest system of human policy. While destroying the balance of power in Germany and Italy, menacing and contending with all the sovereigns of Europe by turns, directing the march of the Crusaders, overturning by their means the Greek empire at Constantinople, and pouring himself out in countless letters, of which nearly two thousand remain to us, he was still observing and punishing every dissent from the tenets of the Church of Rome, and, indeed, every exercise of the thinking faculty on religious subjects, with that boundless reliance on his own infallibility, which is the common basis of all persecution, and with that utter recklessness of human suffering, into which any man may be plunged by his malignant passions, when they assume the veil and the pretext of a seeming piety.

In the year 1207, Innocent had sent into Languedoc Peter of Castelnau as his apostolic legate. Twice had Castelnau required Raymond, count of Toulouse, the sixth of that name, to exterminate his heretical subjects with sword and fire; and twice, when dissatisfied with his zeal in that atrocious office, had he excommunicated him, and laid his dominions under an interdict. The wrong was aggravated by insults such as a feudal prince could not but regard with lively indignation, and such as the legate would not have hazarded except in the confidence inspired by the immunities of his sacred character. Yielding at last to the impulse of his wrath, Raymond, in an unhappy moment, exclaimed that he would make Castelnau answer for his insolence with his life. The menace was heard by one of his attendants, who, following the legate to a little inn on the right bank of the Rhone, entered into a new

and angry debate with him there, and at length plunged a poniard into his heart.

The victim was not a Thomas à Becket; the offender was not a Henry Plantagenet; but neither was the avenger an Alexander the Third. From the Papal chancery issued one bull after another, absolving the subjects of Raymond from their oaths of allegiance; permitting every Catholic to assail his person; exhorting all men to assist in his destruction, and in the extermination of his heretical subjects; and promising to those who should take the cross against the Provençaux the utmost indulgence which had ever been granted to the champions of the Holy Sepulchre.

To that ignorant and superstitious generation, no summons could have been more welcome. Danger, privations, and fatigue, in their direst forms, had beset the rugged path by which the Crusaders in the East had fought their way to the promised paradise. But in the war against the Albigenses, the same inestimable recompense was to be won, not by self-denial, but by self-indulgence. Every debt owing to man was to be canceled, every offense already committed against the law of God was to be pardoned, and an eternity of blessedness was to be won, not by a life of future sanctity, but by a life of future crime; not by the restraint, but by the gratification, of their foulest passions; by satiating their cruelty, their avarice, and their lust, at the expense of a people whose wealth excited their covetousness, and whose superiority provoked their resentment.

From one end of Europe to another, but especially in the immediate neighborhood of Languedoc, was therefore heard the din of martial preparation. Some of the writers of that age raise to half a million the number of the host which, in obedience to the voice of Innocent, gathered in three great armies, over each of which presided either an archbishop, a bishop, or a mitered abbot. The more reasonable estimate of Peter de Vaux Cernay reduces it to fifty thousand. Among the secular leaders of this sacred war were the Duke of Burgundy and the Counts of Nevers, St. Pol, Auxerre, and Geneva. But eminent above all the rest, for well-proved courage and skill in arms, was Simon de Montfort, the lord of a petty fief near Paris, and earl of Leicester in right of his mother, an

English or Anglo-Norman lady. It would be a kind of treason against our common humanity to doubt that there were still some links which attached to it the heart even of this cruel and perfidious Crusader; but in history he is depicted, even by his eulogists, as if existing among his fellow-men for no end but to excite their terror and to justify their abhorrence. Of the ecclesiastical chiefs, by whose counsels or commands he was guided, the most conspicuous were St. Dominic and his brethren, who traversed the devoted land as the missionaries and the spies of Rome; and Arnold Amalric, the papal legate; and the monks of Citeaux, or Bernardins, whose peculiar province it was to preach the duty of engaging in this holy war; and Foulques, or Fouquet, a monk, who ultimately rose to become the bishop of Toulouse. This man, who had earned in his youth a shameful celebrity by profligate amours, which he has himself celebrated in his still extant and most licentious verse, passed the evening of his life in stimulating and conducting the massacre of the people whose unhappy doom it was to have received him as the chief pastor of their spiritual fold.

Under the conduct of these captains and of these ecclesiastics, the mighty armament advanced along the valley of the Rhine. But the heart of Raymond quailed at the gathering tempest. He seems to have been a man of gentle, kindly, and indolent disposition, whose unambitious aim it was to float quietly down the stream of life, receiving and imparting such pleasures as were to be had without any painful or perilous sacrifice, and yet really gifted with nobler powers—with courage, force, and elevation of mind, which, though dormant under the enervating influence of his luxurious habits, were at length revealed for the first time to the world, and probably to himself, under the stern discipline of prolonged calamity. To avert the impending storm of papal indignation, he now humbled himself before Innocent, and his penitence seemed to be accepted; but Raymond was soon to learn how cruel are the tender mercies of a persecutor.

The conditions of his pardon were, that he should surrender seven of his best castles as a pledge of his fidelity; that he should submit himself to the future judgment of the papal legate on the charge of heresy; that he should do public pen-

ance for his past offenses; and that he should then, in his own person, become a Crusader against his own subjects. Each part of this humiliating compact was fulfilled rigorously and to the letter. The count appeared in the Cathedral of St. Giles with naked shoulders, and bearing round his neck a cord, either end of which was carried by a bishop. By their hands the scourge was laid upon his person, not as a mere humiliating ceremony, but with hearty good will to the task, till, covered with blood, and in an agony of distress and shame, the unhappy Count of Toulouse was permitted to escape from his tormentors, and from the vast crowd which had gathered to witness this almost incredible degradation of their suzerain lord. Nor was the vindictive soul of Innocent to be really propitiated even by this abasement of his enemy. "We counsel you with the Apostle Paul (I quote from a letter from the pontiff to his agents in Provence, written at this time) to employ guile with regard to this count; for in this case it ought to be called prudence. We must attack separately those who are separated from unity. Leave for a time this Count of Toulouse, employing toward him a wise dissimulation, that the other heretics may be the more easily defeated, and that afterward we may crush him when he shall be left alone."

In obedience to this atrocious policy, Raymond was, for the moment, left in such peace as could consist with such ignominies and with such sacrifices as his; and the tide of war, diverted from himself, was directed against his young and gallant kinsman, Roger, the viscount of Beziers. One after another the castles of Roger were abandoned, burned, or captured; and then, at the bidding of the Legate Amalric, and amid the acclamations of the ferocious Crusaders, such suspected heretics as were found there were cast headlong into the flames. The chief strength of Roger consisted in his two great cities of Beziers and Carcassonne; but Beziers fell at the first assault. Pausing at the open gates, the knights inquired of Amalric how they should distinguish the Catholics from the heretics. "Kill them all," replied the legate. "The Lord will know those who are his." Fearfully was the injunction obeyed. In the great church of St. Nicaise had assembled a vast multitude, in hope of finding a sanctuary within those hallowed walls. Not one of them survived the carnage. Another trembling

crowd had sought protection in the church of the Magdalen. Seven thousand of their dead bodies were afterward counted on the spot. The slaughter ceased at length from the mere want of new victims. Not one human being of those who so lately had thronged the marts and streets of Beziers remained alive. When the booty had been withdrawn, the Crusaders set fire to the city, and the blackened ruins of Beziers alone long stood there a dismal monument to the memory of her former inhabitants.

From Beziers the triumphant host advanced to Carcassonne. There Roger commanded in person, and sustained the siege with admirable constancy, until, in reliance on a safe-conduct from the legate and lords of the army, confirmed by their oaths, he visited their camp, proposing there to enter into a conference and negotiation with them. But with so formidable a heretic faith was not to be kept. Amalric caused him to be arrested and given into the charge of De Montfort. From that custody he was not long afterward delivered by death; nor did any one doubt that he died by violence. Carcassonne, abandoned by her garrison, was then entered by the Crusaders, and the princely heritage of the Viscount of Beziers remained at the mercy of the conquerors. By the legate, and two bishops, and as many knights whom he associated with them, it was conferred on Simon de Montfort, on the condition of his rendering an annual tribute to the Pope, as liege lord of the conquered territories. The curtain then fell on the first act of this sanguinary drama.

The conquest of the viscounty of Beziers had rather inflamed than satiated the cupidity of De Montfort, and the fanaticism of Amalric and of the monks of Citeaux. Raymond, count of Toulouse, still possessed the fairest part of Languedoc, and was still suspected or accused of affording shelter, if not countenance, to his heretical subjects. To escape the power of his terrible accusers, he took refuge in Rome itself, and there implored the protection and favor of the sovereign pontiff. His reception was encouraging and even gracious. Innocent absolved him provisionally, but referred him to a council to be holden in Provence by the legates, who, with the aid of that synod, were finally to hear and decide the charges still impending over him, of heresy, and of participation in the murder

of the legate, Castelnau. To assist at that council, the Pope dispatched Theodise, a Genoese monk, of whom, in the history of Peter de Vaux Cernay, the panegyrist and vassal of De Montfort, we read as follows: "He was a circumspect man, prudent, and very zealous for the affairs of God; and he desired above all things to find some pretext of right to refuse the count that opportunity of justifying himself which Innocent had granted him." Such a pretext was easily found; and the count was informed by his judges that his defense could not be received. On hearing this ominous intelligence, he burst into tears; when, in imitation of the words, though neither in the meaning nor the spirit of the Psalmist, Theodise contemptuously exclaimed, "Thy tears extend not unto the Lord." The unhappy Raymond was then again excommunicated from the Christian Church, and his dominions offered as a reward to the champions who should execute her sentence against him.

To earn that reward, De Montfort, at the head of a new host of Crusaders, attracted by the promise of earthly spoils and of heavenly blessedness, once more marched through the devoted land, and with him advanced Amalric. At each successive conquest, slaughter, rapine, and woes, such as may not be described, tracked and polluted their steps. Heretics, or those suspected of heresy, wherever they were found, were compelled by the legate to ascend vast piles of burning fagots, and, in the name of the Redeemer of mankind, were presented to him who is Love, sacrifices infinitely more atrocious than had ever been offered on the foulest altars of Moloch. At length the Crusaders reached and laid siege to the city of Toulouse. It was already the scene of intestine war. Fouquet, who was now the bishop of it, had organized there a band called the White Company, who were pledged to the destruction of their heretical fellow-citizens. To them had been opposed another band, called the Black Company, composed of the adherents of the count. Throwing himself into the place, Raymond united both the hostile companies in his own service, and by their aid succeeded in repulsing De Montfort and Amalric. It was, however, but a temporary respite, and the prelude to a fearful destruction. From beyond the Pyrenees, at the head of 1000 knights, Pedro of Arragon had marched to the rescue

of Raymond his kinsman, and of the Counts of Foix and of Comminges, and of the Viscount of Béarn, his vassals; and their united forces came into communication with each other at Muret, a little town which is about three leagues distant from Toulouse. There also, on the 12th of September, at the head of the champions of the Cross, and attended by seven bishops, appeared Simon de Montfort in full military array. The battle which followed was fierce, short, and decisive. A Spanish knight, who on that day wore the armor of his king, was bending beneath the blows of his assailants, who were heard to cry out, "This can not be the gallant knight, Don Pedro of Arragon." "Don Pedro is here!" exclaimed the generous monarch, as, flying to the rescue of his officer, he threw himself into the thickest of the fight. Closing round him, his enemies bore him to the earth, and Don Pedro was numbered with the slain. His army, deprived of his command, broke and dispersed, and the whole of the infantry of Raymond and his allies were either put to the sword, or swept away by the current of the Garonne. Toulouse immediately surrendered, and the whole of the dominions of Raymond submitted to the conquerors. At a council subsequently held at Montpellier, composed of five archbishops and twenty-eight bishops, De Montfort was unanimously acknowledged as prince of the fief and city of Toulouse, and of the other counties conquered by the Crusaders under his command. Overwhelmed by his misfortunes and by the censures of the Church, Raymond offered no opposition to this sentence. Having resigned the palace of his ancestors to Fouquet, who came with an armed force to take possession of it, he retired into an obscure, and, as he vainly hoped, an unmolested privacy. And thus terminated the second stage of the war of the Albigenses.

The conquest appeared to be complete, but the conquerors were now to reap the bitter fruits of a triumphant injustice. Amalric and De Montfort each claimed the dukedom of Narbonne; the legate insisting that the ducal crown was inseparable from the archiepiscopal mitre; the new Count of Toulouse asserting that the feudal sovereignty of Narbonne had become a forfeiture to himself, as the suzerain lord of that province. The crusader, therefore, invaded the prelate, and the prelate excommunicated the crusader. Though not di-

rectly interposing in this strife, the Pope had learned to regard with jealousy the formidable power which he had so largely contributed to create; and, in the year 1215, he convened the twelfth of the œcumenical, and the fourth of the Lateran councils, in order to bring to an end the Crusade against the Albigenses, and finally to dispose of the conquered territories. At that great synod appeared Count Raymond, attended by his son, who was afterward distinguished by the title of Raymond VII. Prostrating themselves before the assembled fathers of the Church, the princes recounted the wrongs which had been inflicted on them by De Montfort, and the enormous cruelties of Fouquet, whom they denounced as the destroyer of more than ten thousand of the flock intrusted to his pastoral care. Nor were their complaints unheeded. Some pity seems to have touched the heart of Innocent, who not only absolved Raymond VI., but (if some of the writers of that age be well informed) privately encouraged the younger Raymond to attempt the recovery by arms of the heritage of his house. Some remorse seems also to have visited the members of the council, who reserved for Raymond VII. the countship of Venaissin and the marquisate of Provence, and replaced the Counts of Foix and of Comminges provisionally in possession of their estates. But neither the Council nor the Pope could resist the other claims of De Montfort. They assigned to him the rest of the countries he had conquered; and Philippe Auguste, acquiescing in this sentence, granted to him the investiture of the countships of Toulouse, of Beziers, and of Carcassonne, and of the dukedom of Narbonne. And thus, for a moment, Simon de Montfort reposed in seeming security on the throne to which he had waded through seas of blood. This repose, however, was but momentary.

The termination of the Crusade by the sentence of the Lateran Council had deprived De Montfort of all support, except from his own unaided resources. But the abhorrence of his cruelties, and the attachment to their hereditary sovereigns, which animated the whole population of Languedoc, threw resources of far greater importance into the hands of the two Raymonds. One revolt of the citizens of Toulouse had been detected by the perfidious falsehood of Fouquet, and punished with all his relentless cruelty. But on the appearance beneath

their walls of some recruits from Spain, commanded by the Raymonds, fear and every other emotion gave way to the enthusiastic joy with which the people welcomed back their ancient lords to the house and the dominion of their ancestors. A sudden insurrection overwhelmed the soldiers and partisans of De Montfort, and again the standard of the house of St. Gilles waved above the palace and the ramparts of Toulouse. The knights and commons of Languedoc eagerly rallied under it, and De Montfort was now once more to undertake the conquest of the territories which he had so dearly won and so unexpectedly lost. He commenced it by laying siege to Toulouse. On the 25th of June, 1218, he knelt at the high mass which the priests in attendance on him were celebrating, in a church in the suburbs of the city. At the moment of the elevation of the host, a loud shout announced that the besieged had made a sally, and were attacking an enormous wooden tower which he had erected for their destruction. Vaulting on his feet, De Montfort, in the words of Simeon, exclaimed, "Lord, now lettest thou thy servant depart in peace, for mine eyes have seen thy salvation;" and flying toward the tower, placed himself at the head of his veterans, and with all his former gallantry repulsed the assailants. At that moment a fragment of a rock, launched from a machine on the city walls, stretched him lifeless on the ground. The siege was raised. In tumults of exultation, Toulouse hailed Raymond as her lawful, and now her undisputed sovereign; and the third act of this eventful drama was completed.

Innocent III. was now dead, and the papal throne was occupied by the third Honorius, who ill brooked the triumph of those whom he had so long abhorred as the enemies of the true faith, and as outcasts from the Church. Louis, the son of Philippe Auguste, had once already labored to insure his eternal welfare by conducting a crusade against the Albigenses. To him, therefore, Honorius assigned half of the funds which had been raised for the support of the Eastern Crusade, on condition of his renewing the same sanguinary, but too welcome warfare. Assisted by Amaury de Montfort, the son and heir of Simon, Louis accordingly invaded Languedoc, and, at the head of a large army, once more laid siege to Toulouse. But the leaguer even of the heir to the crown of France

proved unequal to so arduous an enterprise. The city was valiantly defended by the younger Raymond. The faith in the saving efficacy of the slaughter of heretics was dying away in those parts of France from which the monks of Citeaux had hitherto drawn their most effective levies, and the new papal legate could discover no other resource than that of creating a new fraternity, called the Order of the Holy Faith, the members of which were bound by solemn vows to employ their utmost powers for the destruction of all heretics rebelling against the Church and against Amaury de Montfort. Even this device proved ineffectual. The war languished. Louis returned to France. The elder Raymond died, leaving the defense of his states to his son, then in the vigor of his age and hopes. Philippe Auguste also died, leaving his crown to Louis, who in vain contributed supplies of men and money for the subjugation of Raymond VII. In the month of January, 1224, the younger De Montfort, despairing of success, finally abandoned Languedoc, and bartered his hereditary rights to his father's conquests there for the office of Constable of France, which was granted to him by Louis VIII. as the price or equivalent for them. And thus, at the close of several campaigns, signalized by no martial achievements, and memorable for no signal occurrences, Raymond, the seventh count of Toulouse, of the family of St. Gilles, found himself in possession of the dominions of his ancestors, with no antagonists to dread except the monarch to whom he was eager to do homage as his suzerain, and the pontiff to whom he was resolved to refuse no concession which might propitiate the offended majesty of papal Rome. And thus, at the end of the fourth act of this protracted strife, the scene presented an unwonted prospect of approaching repose.

It was, however, an illusive prospect. In the year 1225, Honorius convened at Bourges a provincial council, which enjoined Louis VIII. to purge the land of heretics, and assigned to him for that purpose one tenth of the whole ecclesiastical revenues of France during the next five years. Louis accordingly took the cross, and, attended by a large number of his barons and their followers, advanced once again to devastate the territories of the Languedocians, and to exterminate all heretics among them. This was the first time that the ban-

ner of a king of France had been unfurled in these Crusades. The hearts of the people sunk within them. They were so worn out by repeated invasions, their country had so frequently been laid desolate, the bonds of society among them had so often been torn asunder, and they had so repeatedly endured all the horrors of war in all their most fearful forms, that the barons, knights, and communes of Languedoc, with one accord, hastened to avert, by timely concessions, the threatened renewal of these intolerable calamities. All seemed lost to the cause of Raymond, when again the mighty innovator, Death, interposed to postpone the impending ruin of that princely house. In November, 1226, Louis VIII. fell a victim to a contagious disease, which had swept away 30,000 of his soldiers. His son was yet an infant, and the regent of France was a woman. But that infant was, under the title of Louis IX., to become the most illustrious of all the kings and of all the saints of France; and that woman, Blanche of Castile, was alone, of all the females who have been called to the regency of that kingdom, to vindicate by her policy her title to so high and arduous a trust. By her orders the siege of Toulouse was resumed.

Fouquet, the evil genius of the place, suggested to the besiegers the only means of a successful attack on the people over whom he had been appointed to be overseer. By his advice, the whole of the adjacent country was converted into a desolate wilderness, till Toulouse remained in the centre of a desert, from which no supplies of any kind could be procured. The spirit of Raymond himself gave way when this new vial of wrath was poured out on his devoted country; and in April, 1229, he signed the treaty of Paris, by which he abdicated all his feudal sovereignty to the King of France, a small territory only being excepted as a dowry for his daughter, the heiress and last representative of his race.

The unhappy father himself was conducted to the Church of Nôtre Dame, at Paris, and there underwent, from priestly hands, the same public and ignominious discipline which the sixth Raymond had endured at the Church of St. Gilles.

Yet another woe, and the chronicle of these tribulations closes. In little more than six months from the cession of Languedoc, a council held at Toulouse established the Inqui-

sition, for the conservation of the true faith and the punishment of heresy among the Languedocians.

Gradually bowing the neck to this foreign yoke and to this judicial despotism, they at length submitted to their fate. In the year 1242, Louis and Raymond VII. formally ratified the treaty of 1229, and the kings of France saw their domain extended over all the Mediterranean shores, and along the fertile regions which connect the western declivities of the Alps with the eastern slopes of the Pyrenean range.

The Church of the Albigenses had been drowned in blood. Those supposed heretics had been swept away from the soil of France. The rest of the Languedocian people had been overwhelmed with calamity, slaughter, and devastation. The estimates transmitted to us of the numbers of the invaders and of the slain are such as almost surpass belief. We can neither verify nor correct them; but we certainly know that, during a long succession of years, Languedoc had been invaded by armies more numerous than had ever before been brought together in European warfare since the fall of the Roman empire. We know that these hosts were composed of men inflamed by bigotry and unrestrained by discipline; that they had neither military pay nor magazines; that they provided for all their wants by the sword, living at the expense of the country, and seizing at their pleasure both the harvests of the peasants and the merchandise of the citizens. More than three fourths of the landed proprietors had been despoiled of their fiefs and castles. In hundreds of villages, every inhabitant had been massacred. There was scarcely a family of which some member had not fallen beneath the sword of De Montfort's soldiers, or been outraged by their brutality. Since the sack of Rome by the Vandals, the European world had never mourned over a national disaster so wide in its extent or so fearful in its character.

Yet they by whom these crimes were committed were not demons, but men. They were children of our common father —members of the great human family to which we belong—our very brethren—but brethren destitute of the advantages which we possess, and exposed to temptations from which we are exempt. In their actual guilt we have the measure of our

own possible criminality. As long as the records of our race shall exist, so long will De Montfort and his followers remain as a beacon admonishing mankind of the depth of the iniquities into which they may be plunged by the indulgence of the spirit of fanaticism.

Theirs was no common illusion. They could not perceive the deformity of their own evil passions, because they had been kindled by what they regarded as praiseworthy and as holy purposes. Their rancorous hatred of a rival nation passed with them for patriotism. Their extermination of an heretical people appeared to them but as the outbreak of a devout zeal. They persuaded themselves that they were securing the divine favor by habitually violating the most sacred of the divine commands. They thought that they were ripening for the beatitudes of heaven by doing on earth the very work of hell. They knew not, or heeded not, the canon which requires us, on all questions of duty, to try our conclusions, not less than our premises, by the law of our Creator. They blindly pursued to all its most revolting consequences a solitary and ill-apprehended principle, trampling down in their progress every other conflicting principle which God has written in his word, or has inscribed in the hearts of his rational creatures.

In that word, for the warning of mankind in all ages, inspired historians and prophets have traced and interpreted the connection which subsisted between the offenses of the chosen people and the calamities which from time to time overwhelmed them. No such voice has been raised to solve the corresponding enigmas of the history of the world in modern times. But the march of a retributive providence among men has not really been arrested. That our world rose into being by the volition of an omnipotent Creator, is scarcely more evident than that the events of it are controlled by the wisdom of an omniscient Ruler. Reverently to trace out his steps by the lights which He has himself afforded us is no presumptuous attempt. It is assuredly not the least important of the ends which a wise man proposes to himself in reviewing the annals of our race. Such judgments, indeed, it is not permitted to us to form with regard to particular men, because their responsibility reaches beyond the grave. The indignation which swells the bosom against the leaders of the Albigensian

Crusades is subdued by the remembrance that their sentence is with their judge. But we may more safely decipher the scroll of Providence in its dealings with communities or nations, whose corporate existence is confined within the narrow precincts of this sublunary state. The abhorrence with which we contemplate the conduct of the powers and populations who carried on these atrocious wars, and the satisfaction with which we regard their righteous punishment, are feelings which we may reasonably indulge.

The fearful visitation fell, indeed, with the most withering severity on the Provençaux themselves. The flood swept away the princely house to which their allegiance had so long been rendered, and with it their national independence, their civic franchises, their commercial prosperity, their gallant chivalry, their tournaments, their courts of love, their minstrels, and their troubadours. The tabret, the viol, and the lute were no longer in their feasts. The voluptuous dance was ended. Wealth was no more tributary to the refinements of art, nor art to the embellishment of social life among them. They hung up their harps, and sat down and wept over the departed glories of their native land. If, when those glories were in their noontide splendor, there had arisen up among them a seer, gifted by his knowledge of the annals of mankind to divine the approaching dispensations of the Supreme Ruler of men, he would assuredly have foretold the coming desolation. He would have remembered that neither in sacred nor in profane history—neither in the monarchies of the East, nor in the free commonwealths of the Western world—neither in Egyptian, Grecian, Roman, Italian, Saracenic, or any other chronicles, could an exception be found to the law which dooms to ruin any people who, abandoning the duties for the delights of this transitory state, live only in the frivolities of life, and find only the means of a dissolute and emasculate self-indulgence in God's best gifts to man—in wealth, and leisure, and society—in erudition, and art, and science—in literature, and philosophy, and eloquence—in the domestic affections which should bless our existence—and in the worship by which it should be consecrated. From the voluptuousness of the intellect, the transition has ever been short and certain to the tyranny of the appetites. They to whom the education of the young

is intrusted will seldom be unobservant or unconscious of this danger; nor in our own land and age will they, I trust, ever be wanting in efforts to counteract it. Among the many titles of this our own illustrious seat of learning to our reverence and our love, there are few, if any, higher than the resistance she opposes to all luxurious trifling with the great subjects of her academical instruction, and the habitual elevation of her standards of excellence to heights which can be scaled only by men of lofty purposes and of strenuous self-denial.

But in the ruin of that rich and self-indulgent people fell also those who had raised the earliest protest which modern Europe has heard against the superstitions, the errors, and the spiritual despotism of Papal Rome. Their fate may, perhaps, seem to raise a more perplexing problem. The natural regret that the Reformation was thus postponed till after the lapse of three more centuries of mental darkness, may possibly not be quite unmixed with surprise that such should have been the decree, or such the permission, of the Divine Providence. But "the Holy Church throughout all the world" has ever contemplated the sufferings of her noble army of martyrs, not with repining, but with gratitude and exultation. In implicit faith she has ever committed the times and the seasons to Him to whom alone their maturity can be known. Yet even to our contracted vision it is evident that, without a miraculous change in the whole economy of the world, and in the entire system of human life, the reformation of the Church could not have been successfully accomplished by the ministry of the Albigenses. The mind of man had not as yet passed through the indispensable preliminary education. The Scholastic philosophy, extravagant as may have been some of its premises and some of its purposes, had yet a great task to accomplish—the task of training the instructors of the Church in the athletic use of all their mental faculties. Philology, and criticism, and ecclesiastical antiquity, were still uncultivated. The Holy Scriptures, in their original tongues, were almost a sealed volume to the scholars of the West. The vernacular languages of Europe were unformed. The arts of printing and of paper making were undiscovered. Such an age could neither have produced or appreciated a Wickliffe or a Huss. Still less could Melancthon, or Luther, or Calvin, or Beza have borne their

fruit in such times, if such men had then been living. Above all, the world, as it then was, could no more have fostered minds like those of Cranmer or Ridley, of Jewell or Hooker, than it could have trained up chemists to rival Cavendish, or mechanists to anticipate Watt. If the Albigenses had succeeded in their designs—if they had reclaimed the nations from the errors of Rome, they must infallibly have substituted for her despotism an anarchy breaking loose from all restraints, divine and human—an anarchy far exceeding, in presumptuous ignorance and audacious self-will, the wildest of the sects which perplexed and disgraced the Reformation of the sixteenth century.

That despotism had then reached its noontide splendor, and, bewildered by the infatuation of that giddy height, was about to fulfill an immutable law of human society, by rapidly falling from it. The Papacy had risen to more than imperial power. It had attained a dignity eclipsing that of the proudest of the Cæsars. It enjoyed a wealth which could be emulated only in the fabulous East. To avenge the assassination of her legate Castelnau, to assert her own insulted majesty, and to arrest the growing revolt of mankind from her authority, she had desolated the fairest regions of France by every plague which tyranny can inflict, or which the victims of it can undergo. Blinded by revenge, by haughtiness, and by fear, she forgot that, by crushing the Provençaux, she was raising up to herself an antagonist with whom she could neither live in peace nor contend on equal terms. Scarcely had the Church of Rome brought the great province of Languedoc under the allegiance of the King of France, when he promulgated the Pragmatic Sanction, which established what have ever since been called the "liberties of the Gallican Church." During the two succeeding centuries the bishops of Rome had to sustain, from the successors of St. Louis, a series of indignities fatal to their moral influence, and a succession of open hostilities which menaced the entire destruction of their political power. In the person of Boniface VIII. the Papacy was compelled, by Philippe le Bel, to drink deeply of the cup of humiliation which it had so often mixed for the secular powers of Europe. From 1305 to 1377 the Popes were little more than vassals of the French monarchs at Avig-

non; and from that time till 1417, the Papacy itself was rent asunder by the great schism. The edifice of their greatness then received at Constance, Basil, and Pisa those rude shocks under which the Reformation of the sixteenth century found it still trembling. From the days of Hildebrand to the end of the war against the Albigenses, the dominion of the Papacy had been progressively acquiring consistency and strength. From the end of that war to the days of Luther, it was progressively losing its hold on the affections and reverence of the world. It crushed a feeble antagonist in Raymond and his house, but it raised up irresistible adversaries in Louis IX. and his successors. It exiled from Languedoc all the Waldenses who escaped the sword, but it drove them to testify through every part of Christendom against the cruelties, the superstitions, and the errors of their persecutors. It silenced the open avowal of dissent from the creeds and the pretensions of Rome, but it sent to the utmost limits of Europe men whose hearts burned with an unquenchable indignation against her falsehoods and her tyranny. As was her crime, such was her punishment.

In that crime the barons and the commonalty of France were the chief agents; but in the perpetration of it, they were also the destroyers of their own personal, political, and social privileges. The dominions of the Count of Toulouse and of the King of Arragon, north of the Pyrenees, were added to the French crown immediately after the conquest by Philippe Auguste of the continental dominions of the sons of our Henry II. The coasts of the Mediterranean and the Atlantic simultaneously acknowledged the sovereignty of the Capetian race. Strong in this great accession of power, they rapidly overthrew the Feudal Confederation, at whose cost and by whose arms they had acquired it. The great, but now helpless Feudatories were subjected by Louis IX. to the judicial supremacy of the crown. Philippe le Bel imposed on them those fiscal burdens which soon ripened into legal dues. The consequent substitution of hired armies for the military service of the feudal vassals completed the extinction of the baronial power. The fall of it commenced with the improvident and short-sighted animosity, national and religious, which, thirsting for the extermination of a rival people, ele-

vated over the conquerors themselves an irresponsible domestic tyranny. They were the eager executioners of the murderous decrees of Rome against the Albigenses, and thus became the suicidal destroyers of their own fortunes, powers, and independence. They grievously abused the trust committed to them by the Supreme Ruler of the world, and, by his equitable retribution, that abuse was rendered the instrument of their own ruin.

The kings of France regarded the destruction of the counts and other feudal lords of Languedoc and Provence first with indifference, and then with complacency; for the more powerful of them were Arragonese, and not French subjects, and the allegiance to the crown of France which the Count of Toulouse acknowledged was at best equivocal and precarious. When the war at length finally transferred all those great fiefs to St. Louis, that prince, upright and magnanimous as he was, could not but exult in so vast an increase of the dominion which he was to transmit to his posterity. That augmented power conducted them, it is true, to a despotism, which, without it, they could probably never have attained. But if some prophetic intimation could have disclosed to St. Louis the long succession of woes which both the sovereigns and the people of France were to reap from that despotic authority, his exultation would have been checked by that fearful prospect, and his piety would have deprecated a gift at once so brilliant and so calamitous.

I have neither found nor sought the guidance of philosophy, moral or political, in this brief attempt to trace out the retributive march of Providence in this melancholy episode of the history of France. I have been dwelling on truths familiar to the youngest of my hearers, and familiar, it may be, even to satiety. Perhaps I have been encroaching on the province of those from whom, and from whom alone, it is the common duty and privilege of us all in this place to receive any public lessons on the obligations which religion inculcates, or on the doctrines which she reveals. If so, I hope to be forgiven an error into which I have been almost irresistibly drawn, and which I am not likely to repeat. But having to address myself to many who did not see the first dawn of life till long after I had reached the meridian of it, I have been unable to

decline the opportunity which this hasty review of the Crusade against the Albigenses has afforded me, of reminding them of a truth as weighty as it is familiar. It is the truth that, in the whole system of human affairs, "the Lord God omnipotent reigneth;" that our free will is the inevitable, because it is the appointed minister of the Divine will; that to render that ministration cheerfully and with a ready mind is our highest attainable good; and that to render it in opposition to our desires and purposes is too often at once our unhappy doom and our well-merited punishment.

The modern science of Sociology, however, entirely rejects and overrules this, or any similar interpretation of the sequences of historical events. If it be conceivable that any accident has this morning brought into this Hall any one of the doctors of that school, I shall have been provoking, and must endure the contempt in which it is their habit so largely to indulge toward those who are less "advanced" than themselves. They divide their fellow-men into two classes, to one of which—the Sociologists—they appropriate the distinctive name of "thinkers," leaving to the rest their choice of any title which shall exclude and negative that enviable designation. The dissent from their doctrines of any one who does not sociologize—that is, who does not "think"—must of course, therefore, appear to them utterly unimportant, whether his voice be raised in the university of Francis Bacon, or in the academies of Timbuctoo. Now, although the superciliousness of men of genius may occasionally expose them to some dislike, they are always safe from retaliation. No man unarmed with the triple brass of ignorance, of presumption, and of self-conceit, would suppose himself entitled to speak, or to think lightly of a science invented by M. Comte, expounded by Mr. Mill, and adopted and illustrated by Mr. Grote. It is with profound respect for those great names, and with a corresponding anxiety for my own credit in dissenting from them, that I request your attention to the motives which have forbidden me to enlist under their banners. And, first, let us endeavor to ascertain what this new doctrine really is.

M. Comte, as translated or interpreted by Mr. Mill, informs us that, "on every subject of human inquiry, speculation has three successive stages; in the first of which it tends to explain

the phenomena by supernatural agencies; in the second, by metaphysical abstractions; and in the third or final stage, confines itself to ascertaining their laws of succession or similitude." Those conclusions at which man arrives in his third, or final stage of the progress of his inquiries, are designated as "positive," in contradistinction from those speculative or hypothetical views to which alone man can attain in his road thither. By thus pointing out the way of ascent to the "positive," M. Comte and his disciples have, as we are farther informed, "let in a flood of light upon the whole course of history."

It much concerns us, therefore, in all our historical inquiries, to know what the "positive" really is, and to learn how we may ascertain, by means of it, "the laws of succession and similitude," as they obtain among the political or social occurrences of the world through which we are passing. For our assistance in those inquiries, Mr. Mill has supplied us with some comprehensive canons.

First. We learn that "all phenomena of society are phenomena of human nature, generated by the action of outward circumstances upon the mass of human beings."

Secondly. We are instructed that, as the phenomena of human thought, feeling, and action are subject to fixed laws, the phenomena of society also can not but conform to fixed laws, the consequences of the preceding.

Thirdly. The reason why the operation of the fixed laws of human nature on man as a member of society can not be ascertained with absolute precision, or announced with perfect confidence, is, it appears, not that the laws themselves are fluctuating, but that the circumstances under which they act are indefinitely numerous, complicated, and dissimilar. The astronomer can predict coming sidereal events with certainty, because he reasons upon fixed laws and upon but few data. The Sociologist can pronounce no such political predictions, not because the laws of his science are unfixed, but because the multitude of the causes to be taken into his account disturb and defeat all his calculations. But, though he can not attain to an amount and distinctness of knowledge sufficient to make him a prophet, he may, we are told, attain to knowledge enough to make him a trustworthy guide. It may, therefore, be in-

teresting to you to know, that it is "a notion current among the more advanced thinkers" that, under such guidance, we may "proceed, on Baconian principles," to "look forward into the history of the human race, and to determine what artificial means may be used to accelerate the natural progress, as far as it is beneficial, and to compensate for whatever may be its inherent inconveniences or disadvantages."

It appears, however, that "Baconian principles," when grasped at by the unskillful or the unwary, are apt to conduct them, not to the terra firma of sound knowledge, but to the fog-banks of empiricism. Some, as we are admonished, wish to deal with the history of the past, in order to infer from it the events of the future, as the chemist deals with the substances in his retort or crucible. But such inquirers forget that they can make no artificial experiments on society like those to which he subjects his metals or gases. They can not interrogate nature as he does. They can reason only from instances presenting themselves spontaneously; and no two such instances make any such approach to identity as to enable the Sociologist to ascertain from the comparison of them what are the real and active causes of the similarity or the dissimilarity of the results which he observes.

The Baconian investigator, as we are farther reminded, will not less surely lose his trouble if he applies himself to his task in the spirit of a mechanical philosopher, when calculating the lines which will be described on any given area by a body impelled in certain directions by one or more known forces, whether opposed or unopposed by counteracting forces of the same kind. For example, he will miss his way if he shall assume the existence of any "universal precepts," according to the breach or observance of which will be the future development of the fortunes of any people. Or if he should undertake to divine what is about to happen from the accordance, or the want of accordance, of the members of any commonwealth to any theory of human society—such as that of an original contract—his divinations will be nothing worth. Neither will he speculate with any truth or plausibility on coming events, if he proceeds on the hypothesis that any social polity is actuated by some solitary principle, whether, according to Hobbes, that principle be fear, or whether, according to Bentham, it be

the desire which animates every man to the pursuit of what he esteems as his highest private and worldly interests. All these are merely empirical or conjectural laws, not the laws of nature, which are identical with the laws of human society. They are but so many vain attempts to compress the infinite variations of things, as they really exist, within the narrow grasp of a premature and gratuitous generalization.

How, then, are we to rise to the region of the "positive," and thence to survey the approaching future? That great task, as we learn, is to be accomplished by the use of what, in the logical style, is called "the concrete deductive method." The Sociologist studies the nature of man. He investigates human motives, psychological and ethological. He examines the tendencies of such motives as they are in themselves. He examines those tendencies as they have actually manifested themselves in social life. Having thus studied the nature of man, of his motives, and of his past history, he next informs himself of the actual condition of any given state of human society. He then applies himself to estimate and anticipate the probable results of any contemplated measure on that state of society, as such results may be expected to flow from the working of those motives the tendencies of which he has so studied. He does not, however, rush to any premature conclusion as to any such anticipated results. Awaiting the actual catastrophe, he observes how far there is any real "consilience" between his expectation and the event. If there be no such agreement between them, he modestly infers that there was some fatal error either in his reasoning or in the premises on which he reasoned. But if there be the anticipated "consilience," then he rejoices in the consciousness of having grasped one of those positive laws according to which the earlier of two given states of society produces the later state, which succeeds to it and takes its place.

Now if, as I believe, this is substantially an accurate account of the system of historical inquiry which is distinguished from all others as the "positive," it seems to me to provoke some censures, which not even the profound respect I have most sincerely avowed for its most eminent patrons will induce me to suppress.

First, then, one is constrained to marvel at the zeal which

celebrates the discovery of that system in such lavish terms of applause. Instead of being inclosed within the royal domain of science, for the use and glory of a little knot of philosophers, might it not as well have been left, where assuredly it was found, in the open fields of speculation, for the behoof of all who have right of common there? There were brave men before Agamemnon; and a countless host of "thinkers" about history were making use of the "concrete deductive method" before the appearance of M. Comte to inculcate, or of Mr. Mill to explain, the practice of it. We have not far to look for examples. Open any speculative treatise on government, from the days of Aristotle to those of Montesquieu, and you will find innumerable instances of that modest wisdom which advises the adaptation of the measures of the law-giver to the general tendencies of human motives, and which suggests a careful inquiry into the actual coincidence of the theory and the result. Take down any one, at hazard, of the ponderous volumes of our statutes at large, and you will find our English legislators declaring it expedient to frame one enactment after another, by each of which they at least designed to introduce such innovations as, according to the supposed tendencies of men's nature, would, as they believed, produce beneficial effects on the social state of the people of England. Nay, in many of those statutes, our Parliament (speaking prose without being aware of it) made the operation of the new law temporary and experimental, that, before they advanced farther, they might see how far there was any real "consilience" between their expectation and the event. It is one thing to interpret, another to invent. He who first interpreted the law according to which arches sustain a vast superincumbent weight, did good service; but he was not the inventor of the arch. That praise belonged to the stone-mason. M. Comte may be the first didactic writer about the "positive;" but it was among the most established of all intellectual crafts long before he arose to take his seat on the dialectic throne.

The "positive" system of historical investigation is, therefore (as it seems to me), far more important on account of what it interdicts than on account of what it prescribes. But its prohibitions rest on a basis which itself demands no little support. For,

Secondly, it may readily be admitted that all the phenomena of human thought, feeling, and action are subject to fixed laws; and, if so, it may consequently be admitted that all the phenomena of society must conform to such laws; for law and order are of the very essence of Him in whom, collectively as well as individually, we live, and move, and have our being. But it is *not* readily admitted that the chief difficulty of foretelling the operation of those laws in any particular cases results from the vast number and the endless variety of the circumstances and the aspects under which the members of any society are always acting, and must at any given time be contemplated. The difficulty is, in my own judgment, far more to be ascribed to our inability to ascertain what many of the most important of the laws of our common nature actually are.

In the words of Agur, the son of Jakeh, "There be four things which are little upon the earth, but they are exceeding wise. The ants are a people not strong, yet they prepare their meat in the summer. The conies are but a feeble folk, yet they make their houses in the rocks. The locusts have no king, yet they go forth all of them by bands. The spider taketh hold with her hands, and is in kings' palaces." If we study the polity of any of these "exceeding wise" people, we can attain to a prophetic vision of their course of conduct in any conceivable contingencies of their respective commonwealths. The almighty Author of their being has laid bare to our inspection the laws by which it is governed, and we calculate with certainty on the operation of them. Has any such disclosure been made to men of the laws which govern themselves collectively, or to any individual man of the laws by which he himself is governed?

What is this ceaseless and almost irresistible influence of our material organism upon the soul, which thinks, and feels, and wills within us? What is this fatal predominance of the worthless present over the inestimable future? What mean and whence come all these gradations from the phrensy of the maniac to the absolute mental health of the most gifted of the children of men? Whence and what is this strange inequality and contrariety between different men? What is this antenatal predestination, which confers on one, and denies to another, the facility for every attainment, and the aptitude for every

virtue? What is this transmission, in almost each particular family, from one generation to another, of peculiar gifts, moral and intellectual, and of corresponding responsibilities, with their attendant rewards or punishments? And yet why do two children, twins of the same womb, inmates of the same home, and pupils of the same preceptors, occasionally exhibit, from the cradle, moral and intellectual characters as dissimilar as their physical structure is alike? What is life, and what is death? When these questions, and such as these, are resolved, then we may boast our knowledge of the laws of human nature, but not till then. But,

Thirdly; though not knowing those laws sufficiently for prediction, may we not know them enough for guidance? I answer, that if it had really pleased the Author of our existence to make our Reason the sole guide of our conduct, then that which our Reason infers from the observation of life would doubtless afford a sufficient rule of our conduct. But such is *not* the condition of our mortal being. The first, the most impressive, and the most frequent of the lessons of our individual Reason is, that we are in the presence of teachers of higher authority than herself. Humility is her appropriate handmaid; and to bow down our own judgment to the judgments of those who are wiser than we, or in lawful command over us, is her daily and hourly precept.

If there were not at hand redundant proofs from experience that such are the terms on which we live, simple Theism would assure us of it. It can not be that He who has so studiously provided for the conservation of the meanest member of His animated creation, should have left us to pursue our path through the dangers, temptations, and intricacies of our moral and social life, with no readier or surer aid than is to be derived from the slow and precarious process of "concrete deduction." If from simple Theism we pass to revealed religion, the assurance that we have many such readier and surer aids is explicit and unambiguous. But,

Fourthly; "all the phenomena of society being generated by the action of outward circumstances upon the mass of human beings," why may we not calculate beforehand on the recurrence or appearance of those phenomena by a careful estimate of the force and tendencies of those outward circum-

stances? I answer by denying that all the phenomena of society are thus generated. I refer the great number and the more important of those phenomena, not to the action of any outward circumstances, but to the antagonistic influences of those two internal principles to which theology gives the names of Natural Corruption and of Divine Grace. Now what human prescience can make the right allowance for such influences as these on individual man, and therefore on collective man, that is, on Human Society? Regarding the corruption of our nature, we are bidden to believe that "the Heart of man is deceitful above all things," and to inquire, "Who can know it?" Regarding the influence of the Divine Grace, we are taught that, "like the wind, it bloweth where it listeth, but that no man can say whence it cometh or whither it goeth."

Fifthly; this, however, is *petitio principii*. I am assuming the truth of Christianity, and that truth is neither admitted nor denied by Sociology, but passed by in studied silence. As one of the "less advanced," I regard that silence as a just subject of serious complaint. Christianity may be (as *we* believe) the greatest of all truths, or it may be (as some have maintained) the greatest of all falsehoods. But that it should be true, and yet irrelevant to any system of social science, is utterly inconceivable. That the teachers of any such science should think themselves at liberty to abstain from so much as one passing allusion to it, is therefore, at least, very marvelous.

For Christianity at least *claims* to answer many of the most intricate and arduous of their inquiries. It *claims* to supply us with some of those "universal precepts," against which, as guides on such subjects, Sociology has given us her most emphatic warning. Are these claims ill founded? If so, let their futility be unambiguously asserted and plainly exposed; for, if they are indeed fallacious, it is a fallacy diffused over a far greater multitude, and casting far deeper roots, than any of those errors with which the "positive" has hitherto wrestled.

I anticipate the answer. No man is really free among us to avow his disbelief of the religion of his age and country; nay, hardly of any one of the commonly received articles of it. With whatever seriousness, decorum, and integrity of purpose such an avowal may be made, he who makes it must sustain

the full force of all those penalties, civil and social, which more or less attend upon all dissent, or supposed dissent, from the recognized standard of orthodoxy. I acknowledge and lament that this is so. I think that they who inflict such penalties are entitled to no praise and to no gratitude. They give to disbelief a motive and an apology for a dishonest self-concealment. They give to the believing a painful mistrust that there may possibly be existing, and yet concealed, some potent reasons which, if men could speak their minds with real impunity, would be alleged against their own most cherished convictions. No infidel ever did, or can do, so much prejudice to our faith as has been done by those zealous adherents of it who labor so strenuously, and so often with such unfortunate success, to terrify all objectors into silence. The early Christians were but too successful in destroying all the writings of the early infidels. Yet, for the confirmation of our faith in the present age, a complete copy of Celsus would be of far more value than the whole of the volumes of Origen.

I, therefore, should not venture to condemn, much as I might regret, the silent passing over by Sociologists of any reference to the scriptural solutions of so many social problems, even if I were entitled (as I am not) or disposed (which I am still less) to ascribe that silence to a real, though unavowed rejection by any of them of the authority of what Christians regard as an inspired canon. But, be the reason of their taciturnity what it may, it at least leaves those who do acknowledge in that canon the voice of a more than human wisdom, unrebuked in their attempts to draw from it other lessons than those which the "positive" has to teach, or than those which the "concrete deductive method" can discover.

Sixthly; in reliance, therefore, upon that canon, I venture to think that, when we speculate on the phenomena of human society, it is not a mark of infantine weakness, but is rather the indication of the maturity of our strength to seek the solution of them by referring to "supernatural agencies." Sure at least I am, that from the Pentateuch to the Apocalypse those phenomena are thus interpreted. Such, beyond all dispute, is the unbroken tenor of the writings of all and of each of the prophets. It is utterly impossible to reconcile those writings with the doctrine that he who would foretell the in-

fluence on any society of any contemplated measure, has to embrace only two elements in his calculation: the one, the laws of human nature; the other, the circumstances in which the society in question is placed. A third and yet more momentous element is invariably introduced in the intimations of Holy Scripture. That element is the nature of Him with whom we have to do, so far as He has been pleased to make His nature known to us.

Seventhly; I do not think that any student of the Bible will be able to adjust the language of it to the dogma that we are not at liberty to assume the existence of any "universal precepts," according to the breach or the observance of which will be the future development of the fortunes of any people. If this be, indeed, one of the dictates of the modern social science, then is that science in the most direct and absolute conflict with the dictates of what we accept and reverence as the Word of God. Every sentence of that Word lays down, or refers to, some "universal precepts," the sanctions of which, so far as communities of men are concerned, are either their temporal welfare or their temporal misery.

Finally. Whoever shall attempt to interpret the past sequences of human history, or to anticipate those which are still to come, if he shall make that attempt by the aid of such lights as he can derive from revelation, must make a large allowance for one consideration, which Sociology entirely overlooks. I refer to the doctrine of a particular providence.

I can not conceive that any man whose mind is deeply imbued with scriptural studies, and especially with the study of the historical and prophetical scriptures, should also adopt that philosophy of our times which transfers to the movements of the human will, and to the consequent condition of the members of the human family, laws borrowed from the statics and the dynamics of mechanical science. The language of the Bible is, doubtless, to a great extent, rhetorical and poetical; but, after making every possible deduction from its precise literal meaning on that ground, there still remains in it an overwhelming weight of concurring testimony to the fact that what may be called the natural sequences of events in the affairs of men are continually broken by the Divine interposition. Every where, and in every conceivable variety of expression,

we meet, for example, with assertions and illustrations of the fact that God is continually raising up individual men, who, from their peculiar characters, are designed and made to serve as pivots, upon which the whole circuit of human affairs is to revolve. It is superfluous to quote from the sacred story examples so familiar to us all of these divine dispensations. Take an instance far more near to our own times. Suppose a Sociologist—a very long-lived one indeed—studious of the nature of man, and of the tendencies of his motives of action, to have contemplated the circumstances of human society as they existed in England in the beginning of the seventeenth century, and as they existed in France in the middle of the eighteenth. He might, in either case, have foreseen an approaching increase of popular franchises at the expense of monarchical prerogatives. But it would have been utterly beyond his power to foresee that the English throne would be filled by a prince distinguished for stubborn audacity, and that the throne of France would be filled by a prince not less distinguished by timid irresolution. Yet on those their personal characters, every thing was in reality to depend. If Charles and Louis had changed places, there would have been a reform in either country, but a revolution in neither. The Supreme Disposer of events, and He alone, could foresee, that in that crisis of the history of each of those states, the moral temperament of an individual man would work out such results. But, foreseeing it, His particular providence ordained that the crown should, in either case, be worn by such a man as was necessary for bringing about the predestined catastrophe.

In thus adhering to the revealed Word of God—not, indeed, to supersede the social science, but continually to control its authority, to supply its deficiencies and correct its errors—we are, of course, subject to that kind and degree of liability to mistake which we incur in receiving Holy Scripture as the authentic disclosure to man of the will and the dealings of his Creator. If, in so receiving Holy Scripture, we are really mistaken, let the error be distinctly pointed out, and, if possible, established. But by merely pretermitting the subject, our teachers point out nothing, and establish nothing respecting it. Unaided by them, we must therefore needs cling to our baptismal faith and to the confessions of our maturer years, and

in that faith reverently attempt to gather from our Bibles a higher and a surer social science than we can derive from any other source.

In that spirit I have, in the commencement of the present lecture, attempted to indicate the providential results of the war of the Albigenses. For the long sequel which I have thus added to that inquiry, my apology must be found in the boundless importance of the subject to which it refers. Among the most profound reasoners, and the most learned writers of our times, are to be found those from whose vital principles on the subject of historical investigation I am thus constrained to dissent. I have not gone out of my way to create an opportunity of encountering such opponents. No man of common prudence would do so. But neither have I turned aside from the path before me to avoid that encounter. No man of common integrity would consult his ease and credit by so abandoning, in deference to any names however great, or any genius however eminent, that which he supposes to be the cause of truth.

LECTURE VIII.

ON THE INFLUENCE OF THE JUDICIAL ON THE MONARCHICAL SYSTEM OF FRANCE.

We are now to inquire how far the elevation of the Monarchy of France, at the expense of the Feudal Confederation, was promoted by the System established for the administration of Justice in that kingdom.

The reign of Louis IX. is memorable as the era at which the French kings first assumed that legislative power, and the French Parliaments that judicial power, which they respectively retained till toward the close of the eighteenth century. The nature, the causes, and the effects of these innovations, and especially of the last, must, therefore, be embraced in our present inquiry. But at the very entrance into it the eye is irresistibly arrested by the monument which the learned and the wise of every age, subsequent to his own, have concurred in raising to the illustrious author of them. In that long succession of eulogists on the Royal Saint, none have been more

emphatic than Hume, and none more enthusiastic than Voltaire. Yet it was impossible, even to their subtle intellects, as it has been difficult to many students in a far nobler school than theirs, to trace the movements of that benignant Providence which planted and brought to a prolific maturity in the mind of Louis, as in a genial soil, the seeds of an habitual holiness, and of a wisdom which, if not always unclouded, was so often at once elevated and profound. It is perhaps an enigma refusing any complete solution. Yet the more diligently his life is studied, the more distinctly will it, I think, appear, that his natural dispositions received from the associates and the teachers of his youth the training which rendered them fruitful of so many virtues. Exquisitely alive to every domestic affection—often oppressed by a constitutional melancholy, which laid bare to him the illusions of life, yet occasionally animated by a constitutional gayety, which enabled him for a while to cherish and to play with those illusions—enamored of the beautiful, and revering the sublime—his temper, though thus sympathetic, pensive, and imaginative, was allied (it is no common alliance) to a courage which rose and exulted in the presence of danger, and to a fortitude which was unshaken in the lowest depths of calamity. Yet his genius was more imitative than original, his spirit ductile rather than decisive, and his whole character not self-sustained, but destined to derive its ultimate form and color from the habits, the tastes, and the opinions of those with whom he might be associated.

Great, therefore, were the obligations of Louis to the companions and guardians of his youth. His mother, Blanche of Castile, watched over the royal boy (for he had not completed his thirteenth year when he ascended the throne of France) with all a mother's tenderness, united to a discipline more inflexible, and perhaps more stern, than most fathers have the courage to exercise. In Isabella of France, his sister, who had preferred the cloister to the imperial crown, he had another kinswoman who bestowed on him all the thoughts, the time, and the affection which she ventured to divert from the object of her almost ceaseless worship. In his eighteenth year he married Marguerite of Provence, who, after having been the idol of the Troubadours of her native land, herself became

almost an idolator of him, cleaving to him with the same constancy of love in their quiet home at Poissy, and amid his disasters at Massourah and Damietta.

But the sagacity of Blanche foresaw that these filial, fraternal, and conjugal affections might enervate, even while they purified, the spirit of her son, and she therefore selected for his tutor a man possessing, as she judged, the qualifications best adapted to counteract that danger. His name was Pacifico. He was an Italian gentleman, who, having been one of the first followers of St. Francis of Assisi, was animated by the profound and fervent devotion which characterized his master. From Pacifico, Louis derived those religious convictions which thenceforward formed the basis of his whole exterior and interior life. So deeply, indeed, were those devout habits inwrought into his mind, that the desire to abdicate his crown and to assume the monastic vows attended him to the last. Nor was this a mere day-dream; for, when occasion offered, he would for a while adopt the dark tunic of the Mendicants, and pass whole days in the performance of their sacred offices.

But Pacifico was too wise a man to train up a king in the spirit and practices of a monk. He instructed his pupil in ancient and in more recent history, caused him to ride boldly in the chase, and required him to cultivate every martial exercise and courtly grace, which was then regarded as indispensable in a gentleman and a cavalier. Nor did the lowliness of the Franciscan institute prevent the friar from instilling into the soul of Louis the loftiest conceptions of his own royal dignity. The noblest of his falcons, it is said, having attacked and slain an eagle, was welcomed with rapturous applause by his brother sportsmen, but was dismissed from all farther service by the royal boy, with the indignant remark that he should not have presumed to pounce on the monarch of the skies.

Other and far different associates contributed to form the character of the pupil of Pacifico. In the halls of the Louvre, then a fortress rather than a palace, veteran captains described to him the battles which they had fought with Saladin, and the victories which had expelled the English from Normandy. Beneath the same royal roof, gray-headed counselors of Philippe Auguste explained to him the methods by which that

prince had enlarged the domains and the powers of the kings of France; and there also civic bailiffs and provincial seneschals interpreted to their young sovereign the motives which had induced his ancestors to increase the number and to extend the franchises of the communes. Thus imbibing from aged men the hereditary maxims of his house, he learned to adopt them as the laws by which his future reign was to be directed.

But the yet higher laws by which his own personal conduct was to be governed seem to have been derived from a far more eminent teacher than any of these. St. Thomas Aquinas, who had migrated from his native Italy into Northern France, was passing there a life which may be said to have been one deep and unintermitted meditation; for the results of which he found utterance sometimes in acts of public or of solitary worship, and at other times in interpreting to mankind the mysteries and the duties of their relations to the Deity and to each other. To the inquiry of Bonaventura as to the sources of his stupendous learning, he answered by pointing to the crucifix which stood upon his table; and, when seated at the table of the king, or introduced into his closet, he still directed him to the same inexhaustible fountain of divine and human wisdom. From his intercourse with St. Thomas, Louis seems to have acquired his acquaintance with that science which the devout Pacifico could not have taught—the sacred science of Christian morality, in all the amplitude and in all the minuteness of its application to the offices of a legislator and a king.

Though contrasted with this seraphic doctor as strongly as the Chronique de St. Louis is contrasted with the Summa Theologiæ, the Sire de Joinville had *his* lessons also to impart to his sovereign. Joinville, the grand seneschal of Champagne, was the living impersonation of the beau ideal of his age—the preux chevalier—the mirror of courtesy—concealing a tender heart beneath a stoical demeanor—rejoicing in all the good things of life, while braving death and pain in all their ghastliest forms—clinging to his religion as a point of honor, and guarding his honor as a religious obligation—the most loyal of vassals, the most frank and plain-spoken of courtiers; and writing with so much natural vivacity and

ease, that the ordinary authorship even of the times of Montaigne is rebuked by the great essayist himself, as constrained and artificial when compared to that of the gallant chronicler. To Joinville more than to any one else Louis was probably indebted for the cordiality, the graciousness, and the freedom of address which, in his case, may be said to have risen into a virtue, since without it his other virtues would have lost much of their influence. No other writer has depicted the Royal Saint, and perhaps no other ever saw him, in his moments of social exhilaration; nor are there many stories more charming than those in which the good seneschal describes himself as amusing his devout sovereign, at one time by provoking the orthodox anger of Robert, the chanter of Cambray, and at another by dragging into daylight the superfine linen concealed beneath his cassock; so hearty is the pleasure of the honest narrator at having made a luxurious monk ridiculous, and so graceful the kindness with which the king soothes the pain of the mortified priest at the expense of the thicker skinned soldier.

But I anticipate and bow to the censure, that we have not met here this morning to recreate ourselves with facetious tales, however dignified may have been the heroes of them; and I therefore desist from the farther prosecution of a favorite theme. But even this slight sketch of the formation of the character of St. Louis will not be altogether useless if it shall induce any of my hearers to study the writers, and Joinville above all the rest, to whom we are indebted for our knowledge of him; for St. Louis occupies in history a place apart from that of all the other moral heroes of our race. It is his peculiar praise to have combined in his own person the virtues which are apparently the most incompatible with each other, and with the state and trials of a king. Seated on the noblest of the thrones of Europe, and justly jealous of his high prerogatives, he was as meek and gentle as if he had been undistinguished from the meanest of his brethren of mankind. Endowed from his boyhood, by the lavish bounties of nature, with rank, wealth, power, health, and personal beauty, he was as compassionate as if sorrow had been his daily companion from his youth. An enthusiast in music, architecture, and polite learning, he applied himself to all the details of public busi-

ness with the assiduity of one who had no other means of subsistence. Though glowing with all the ardor of an Homeric hero on the field of battle, he purchased and maintained peace by sacrifices which might have appeared humiliating to the faintest heart which ever throbbed beneath the diadem. Surpassed by no monarch in modern Europe in the munificence of his bounties or in the splendor of his public works, those purest and most sumptuous of the luxuries of royalty were in no single instance defrayed from any tributes levied from his people. Passionately attached to his kindred, he never enriched or exalted one of them at the public expense. Regarding the aggrandizement of the crown by the subjection of the greater feudatories, as a king in all times, and as a patriot in his times must have regarded that policy, he yet respected their legal rights, not only with rigid justice, but even with the most delicate and generous courtesy. The heir of conquests and territorial acquisitions of which the responsibility rested with his grandfather, the inestimable advantage with himself, he restored to his rivals and his adversaries every fief and province which, upon the strictest scrutiny by the most impartial umpires, appeared to have been added to the royal domain by unjust, or even by questionable means. With a soul knit to the Church, and entirely devoted to her real interests, he opposed a firmer resistance and a more enduring barrier to sacerdotal rapacity and ambition than had been contemplated by the most audacious and worldly-minded of his predecessors.

What, then, was the basis of this sacred harmony in the character of Louis? I answer, or rather every page of his history answers, that it flowed from his constant devotion to that holy canon, and to that divine model, in which every utterance and every action are harmonious. His eye was continually turned to the eternal fountain of light with all the docility of childhood. He had early attained to that maturity of the moral stature in which the abdication of self-will to the supreme will becomes at once a habit and a delight. In the service of his Creator he found and enjoyed a perfect freedom. It was a service often rendered in pain, in toil, in sickness, and in danger, but ever rendered with a heart full of cheerfulness, and confidence, and hope. It was a life illustrious neither by any

extraordinary talents nor by any brilliant achievements, but by virtues which the humblest may emulate, and by dispositions which may gladden the meanest cottage, and ennoble the least powerful understanding. But I must add that it was also a life scarcely less fertile in warning than in example. In blind obedience to human authority, supposed to be divine, Louis, abandoning the duties of a king for those of a crusader, led to destruction in Egypt and at Tunis the two most gallant armies which France had ever sent into the field. In deference to an unfounded scruple of conscience, he surrendered to the Plantagenets territories which laid open France to the wars under which she groaned during several successive generations. With the most simple purpose of fulfilling what he supposed to be the will of God, he laid the foundations of the absolute powers, judicial and legislative, by which his successors on the French throne crushed successively the feudal powers of the seigneurs and the constitutional franchise of their people. To explain and justify this last statement is the object which I more immediately propose to myself in the present lecture; a subject too technical and tedious to be rendered interesting to any but the resolute students of history, yet too important to be passed over by any excepting those with whom study is but another name for pastime.

In the Feudal age, the whole of France was divided into seignorial fiefs and enfranchised municipalities. In every fief the seigneur exercised an hereditary jurisdiction, both civil and penal. According to the language of those times, the *justice* of each seigneur was either Haute, Moyenne, or Basse—a gradation depending on the extent of the damages, and on the nature of the penalties which his court was competent to award.

Every enfranchised municipality also possessed a local tribunal, which, within the corporate limits, administered justice, either Haute, Moyenne, or Basse, according to the terms of the traditional privileges, or of the charter of enfranchisement of each.

In the Seignorial Court, the seigneur himself presided, his vassals attending him as judicial assessors. They were called peers; the equals, that is, those who were to come before them in judgment; for the principle that no man could be tried ex-

cept by his peers was as ancient and as fully established in France as in England.

Of all the fiefs of the realm, the greatest was that of which the king himself was the immediate seigneur. It was called the Royal Domain. The Feudal Court of the Royal Domain resembled that of the other seigneuries, except that it was holden, not by the king in person, but by his Seneschal as his representative.

The seignorial courts could take cognizance only of cases arising out of feudal rights or feudal obligations; for it was in respect of such cases alone that the vassals of the fief stood in the relation of peers to the suitors in those tribunals. To provide for the decision of judicial questions arising within the royal domain, but not falling within the range of the feudal law and jurisprudence, the king appointed there other judges, called Prévôts.

Toward the end of the twelfth century, the progressive enlargement of the royal domain had rendered the courts of the seneschal and prévôts inadequate to the discharge of their appropriate duties. The progressive increase of the royal authority had also, at that period, attracted to the crown many petitions for the redress of grievances, and especially of grievances arising from the abuse of the powers, both of the king's greater feudatories and of his inferior officers. To meet these new exigencies, therefore, the king reverted to one of the Carlovingian institutions. He appointed missi dominici, or migratory commissioners, to perform circuits through his domain, and there to adjudicate on matters to which the ordinary courts were either inadequate or incompetent. Those commissioners soon became permanent judges, under the name of Baillis. Those circuits soon became determinate and well-defined districts, under the name of Bailliages.

Beyond the limits of the royal domain, the competency of the baillis extended, first, to all cases of haute justice, arising within any fief or municipality, the seigneur or corporation of which did not themselves possess that high jurisdiction; secondly, to what were called cas royaux, that is, all cases in which the rights of the king, as suzerain of the whole realm, might be drawn into question; and, thirdly, to cases of appeal, that is, to cases in which a suitor (as the phrase was) *faussoit*

jugement, by denouncing the judge of the seignorial or municipal court, or any witness there, as false, fraudulent, and perjured, and by demanding wager of battle against him.

The introduction by the king of a seneschal, of prévôts, and of baillis into the judicial system of the royal domain, awakened the jealousy of the great vassals of the French crown. Emulous of the power of their sovereign, and as yet little disposed to ascribe to him any superiority to themselves, except in rank, those grandees imitated his example by appointing, in their several fiefs also, seneschals, prévôts, and baillis. The resemblance was, indeed, imperfect. The royal baillis could, as has just been noticed, take cognizance of many questions arising beyond the precincts of the royal domain. The seignorial baillis, on the other hand, could take cognizance of no question arising beyond the precincts of the particular fief for which they acted. Nevertheless, these imitations conduced to an important result. As one great fief after another was successively absorbed into the royal domain, the uniformity which had thus been previously effected in their legal institutions reconciled the change to the habits and feelings of the inhabitants. The political union of all the fiefs of the kingdom was preceded and facilitated by this correspondence between the judicial systems of them all.

The reign of Louis IX. was, as I have said, a most momentous era in the history of the French law and of the French tribunals. I had lately occasion to explain how, in consequence of the Eastern Crusades, the Roman jurisprudence became a favorite study in the universities of Italy and France. In that code the thoughtful men of those times discovered the means of providing for the great exigency of their age—that is, for an equitable, systematic, and uniform administration of justice. Their earlier studies as divines and canonists enabled them not only to appreciate the importance of that discovery, but also to turn it to the best account. To those clerical lawyers France was accordingly indebted, first, for compilations of the legal customs of the several greater provinces of the kingdom, such as Burgundy, Champagne, Normandy, and Anjou; secondly, for treatises explanatory of those customs, among which those of Beaumanoir and De Fontaines were the most celebrated; thirdly, for essays toward the consolidation

of them all into one general code, to be called "Consuetudines Patriæ;" and, finally, for the actual preparation of one such code, which, under the title of Etablissements de Saint Louis, was promulgated by that monarch in the year 1270. It was a body of law regulating the mode of procedure in all feudal cases, and illustrated by comments and analogies drawn from the Corpus Juris Civilis. Though originally confined to the royal domain, the Etablissements were ere long extended to the whole of France, and are among the earliest examples of any law having so extensive a scope and operation under the Capetian Dynasty.

Science having thus been introduced into legislation, it became indispensable in the judgment-seat also. The rude baron and his martial assessors had not encountered much difficulty in adjudicating in the seignorial courts. When engaged in inquiries too subtle for the prompt award of an untutored common sense, they tried the point at issue between the litigants by an appeal to the Omniscient Judge. That appeal was supposed to be made either by the ordeal or by mortal combat, and the result of it was not to be mistaken by the least learned of the spectators. But to the devout and enlightened mind of St. Louis, it appeared irreverent and profane thus to invoke the miraculous intervention of the Deity on an occasion on which no divine promise had given assurance of any such aid. Though addressed in words and form to the Omniscient Judge, that appeal was, as he perceived, really made in reliance on the personal prowess of the appellant, and was effectual only to the strong and the rich, at the expense of the feeble and the poor. For these reasons, St. Louis, in the year 1260, promulgated an ordinance forbidding the resort to that species of judicial proof within the limits of the royal domain.

Deprived of the martial test on which they had hitherto relied, the courts of every seigneur within the domain were compelled to resort to those more delicate criteria of truth which are afforded by the language of the litigants, and by their evidence, whether oral or documentary. It thus became necessary to ascertain, in all such cases, what were the facts alleged, admitted, or denied by the respective disputants; what were the precise matters of fact or points of law controverted be-

tween them; what, as to any such matter of fact, was the balance of conflicting testimonies; and what, as to any such points of law, were the legal rules or customs according to which they must be decided.

Thus the stout baron and his vassals had no longer to preside at judicial combats, but at judicial processes—a change most unwelcome and embarrassing to judges, most of whom were unable to read. They had to listen to prolix and contentious suitors contradicting the assertions, refuting the arguments, impugning the witnesses, and repelling the proofs of each other. Advocates and proctors quoted to them the newly-discovered Institutes of Justinian, which those learned persons were already accustomed to call "the perfection of wisdom." Partly from its inherent merits, and partly from the absence of any rational system of jurisprudence of native or of European origin, this code of the Eastern empire soon attained a great authority, and at length took possession of all the tribunals of France. As it gradually substituted the written depositions of witnesses for their oral testimony, it enhanced the difficulties of the seigneurs in their administration of justice, by adding another stratum of obscure and wearisome documents to the vast deposits of that kind beneath which they were already overwhelmed. The fatigued and perplexed baronage had but one resource left to them. It was that of admitting to the audience some of those who were called "literate" persons, and of charging them with the care of unraveling the interminable web of written controversy. Beneath the stately sedilia of the lord and his chief vassals were therefore placed a range of low stools, on which were seated men of modest, quiet, and submissive demeanor—clerks in or out of holy orders, as it might happen—roturiers of base birth, and not seldom of mean pursuits, yet curiously gifted with the art of methodizing, digesting, and explaining those formidable piles of legal instruments. A discerning eye might have traced in the calm and pallid looks of the drudges who dispatched these toils, some suppressed scorn for the unlettered superiors at whose feet they sat, not unmixed, probably, with some aspiring hopes that ere long those stately seats might be their own.

That such hopes were cherished may be well conjectured

from the fact that they were speedily fulfilled. Ere long, the literate assessors fairly (or perhaps unfairly) wore out the patience of the illiterate barons. To listen to an incomprehensible legal jargon day after day, through long hours due to the raid, the tournament, or the chase, had been provocation enough. But to discover, at the close of every such tedious session, that those mean men in serge gowns and black bonnets really dictated, while affecting only to suggest the decisions of the court, and were making passive tools of the seigneurs who had believed that they were about to make tools of them, was too much for baronial endurance. Exhausted with unprofitable fatigue, and exasperated with the irretrievable loss of all their real importance and dignity as judges, the lords first became remiss in their attendance, and at last entirely abandoned the tribunal to the humble, but shrewd and painstaking clerks. In due time they exchanged their low stools for the vacant bench, and obtained or assumed a title more commensurate with the real importance of their office. Becoming at length the recognized judges of the seignorial court, they thenceforward indulged themselves without restraint or hinderance in all the legal subtleties to which they owed their elevation.

By means not dissimilar, a corresponding victory was gained by the lettered clerks over the unlettered barons of those fiefs which lay beyond the limits of the royal domain. I have already observed that, in every part of France, the royal baillis could take cognizance, first, of cases of haute justice arising within any fief, the seigneur of which did not himself possess that high jurisdiction; secondly, of cas royaux, that is, of cases in which the rights of the king as suzerain might be drawn into question; and, thirdly, of appeals, that is, of cases in which a witness, being accused of perjury, or a judge of willful injustice, battle was waged against either of them.

Now the baillis of the royal courts beyond the royal domain, being chosen by St. Louis on the ground of their education and knowledge as lawyers, were, like all other members of that profession, ardent admirers and followers of precedent and of ancient authority. Like the "literate" assessors of the barons within the royal domain, and in imitation of them, the royal baillis began, in all cases arising beyond the limits of

that domain, to study and to quote the Institutes of Justinian and the Pandects; nor had they ever to seek there in vain for analogies by which to enlarge the judicial powers which they exercised in the name of their sovereign; for,

First. Observing that every imperial rescript had been binding and in force throughout all the limits of the Roman empire, they maintained that every sentence pronounced in the courts of the King of France must be binding and in force in every part of the French kingdom.

Secondly. Having learned that the emperor had been accustomed to withdraw from all local tribunals to his own those causes which were called Causæ Majestatis, they taught that, by parity of reason, the king was entitled to evoke all the cas royaux from the seignorial to the royal courts. And as the emperor had left the words "causæ majestatis" in a certain flexible indistinctness of meaning, so they held that it was not necessary (as to the king it obviously was not desirable) to deprive the words "cas royaux" of their convenient elasticity by any precise definition of them. They discovered (but little invention was requisite for such a discovery) that few cases could arise in a seignorial court which might not affect the king in his character of suzerain, and consequently there were few which might not be drawn within their own cognizance. Thus, continually enlarging his own sphere of action, the bailli as continually contracted that of the seignorial judges.

Thirdly. To multiply still farther the number of cas royaux, it became first a maxim, and then a law, that every free man who was a party in a legal process might, at his own pleasure, as it was expressed, "declare his domicile;" that is, he might determine for himself whether, for the purpose of the suit, he should be considered as a liegeman of the baron on whose fief he was found, or as a liegeman of the king. If he made the latter choice (and there were many motives inducing him to make it), the king's judges claimed an exclusive cognizance of the matter in debate.

Fourthly. The *justice* of the seigneurs was yet more considerably narrowed by another legal doctrine which was invented and enforced by the judges of the royal courts. As the ordinance of 1260, forbidding trial by battle, was confined to the royal domain, the judge of a seignorial court was still, in

strictness of law, bound to vindicate his innocence by the sword, if a suitor brought an appeal of false (that is, of willfully unjust) judgment against him in the court of the royal bailli. To avoid this consequence, the baillis discovered or unveiled the doctrine that, even beyond the royal domain, the ordinance of 1260 was, by a certain analogy, to be adopted as the rule of judgment of all royal courts. Therefore, when a suitor in any part of France brought an appeal of false judgment against the judge, the bailli did not require the judge appealed against to enter into a combat with his accuser, but they required the accuser to prove by arguments, or by evidence, that his judgment was opposed to the principles of justice. Now this was, in effect, to receive from the seignorial courts *appeals*, in the strict and proper sense of the word. Any unsuccessful suitor in any such court, who, in form and in terms, impugned before the bailli the integrity of the original judge, was thus enabled to obtain a rehearing and a new decision of the cause. Thus the court of the seigneur at length became, in effect, nothing more than a tribunal de première instance; a mere outer chamber, in which the process was prepared for the final adjudication of the royal judges.

Finally. As the imperial code had determined that Rome was *communis patria* of all Roman citizens, so the royal baillis drew from it the analogy and conclusion that all the subjects of the King of France had their *communis patria* at Paris, and were amenable to the jurisdiction of the Parisian tribunals.

To any one conversant with the history of the law of England, we might seem to be recounting some of the triumphs of the courts at Westminster in elbowing out all the rival jurisdictions, in enlarging their own, and in confounding the function of the interpreter of the law with that of the lawgiver; for, amid all the specific distinctions between the legal tribunals of different countries, they have a great sameness of generic character. Their natural tendency every where is toward uniformity of judicial procedure, toward concentration of judicial power, and toward a well-defined subordination of all the successive ranks of the judicial hierarchy to each other. They are taught by a sure instinct that union is strength, and

that such mutual dependence and submission are essential to union.

To complete the chain of subordination by which that hierarchy was to be constituted and bound together, a new system of tribunals arose at the commencement of the fourteenth century, which were destined ultimately to control, and in a great measure to supersede, all the other courts of justice in France. I refer to the Parliaments, and especially to the Parliament of Paris. In order to explain what at length became the judicial character and functions of these tribunals, it is necessary to return upon some of the steps which we have already taken, and to endeavor, however briefly, to have their genealogy from much more ancient institutions.

I attempted in a former lecture to justify the statement, that, from the invasion of Clovis to the accession of Charlemagne, France did not possess any national Legislature, nor even any royal legislator. That part of the old Romano-Gallic race which dwelt in cities, continued in those times to live under their old municipal government, but had no share in any national affairs. That part of the same race which lived in the rural districts as slaves or serfs, or as coloni, took just as little part in the conduct of the general interests of Gaul as the oxen which drew their plows. The Franks, on the other hand, constituted one great army, the main body of which was encamped round the abode of their Kyning or commander, and the rest of which was broken up into various detachments, stationed at great distances from each other, on the lands and among the slaves appropriated for their maintenance. Every such detachment became ere long a sedentary tribe, and the chief of each was accustomed, as occasion required, to convene the mallum (that is, an assembly of the free inhabitants) of his district, to deliberate with him on all the affairs of his immediate locality. The Kyning also occasionally convened an assembly of the whole of the Frankish chiefs, to deliberate with him at the Champs de Mars on the affairs of the whole confederacy. But neither the mallum nor the Champs de Mars was a legislative convention. Each of them was a council of war or an assembly of warriors, who, brandishing their swords and clattering their shields, shouted their acquiescence or their dissent as their commander-in-chief laid before them

any military project; very much after the manner of the Cherokees two centuries ago, or of the Foulahs of Central, or the Zooloos of Southern Africa at the present time.

The assemblies even of Charlemagne, and of his sons and grandsons, were little more than so many Frankish palavers, brought together to discuss any military questions of unusual difficulty or importance. The admission of the episcopal order gave to them, indeed, an additional character strongly resembling that of Synods; and the large views of Charlemagne himself, and of his wise and learned counselors, sometimes induced him to borrow from such assemblages a higher sanction for his capitularies than they would have had if avowedly resting on his own unaided authority. But whatever use he, or his immediate descendants, may occasionally have made of these armed or clerical conventions, it is a mere abuse of words to designate them as national Legislatures.

When the Carlovingian Monarchy had given place, first to Anarchy and then to Feudalism, the mallums, and the Champs de Mai, and (except in some southern cities) the municipal curiæ also disappeared. But in their stead there came into existence the feudal courts. Each tenant *in capite* of the crown held within his fief a Parliament of his own free vassals. To attend at such Parliaments was among the most important of the conditions on which the vassal held his lands or his offices. He was as strictly bound to be present at his lord's pleas in court, as to follow his lord's banner in the field.

For at such pleas or courts were done most of the acts by which the lord asserted and perpetuated his seignorial rights. There was administered the seigneur's *justice*, whether haute, moyenne, or basse. There were discussed all questions immediately affecting the seigneurie or the tenants of it. There especially were adopted all general regulations which the exigencies of the lordship were supposed to dictate, and especially all such as related to the raising tailles or other imposts.

What was thus done on a small scale in a minor fief, was also done, though on a larger scale, in each of the feudal provinces, and on a scale yet more extensive in the court or Parliament holden by the king as a seigneur of the royal domain. In that high assembly justice was administered by the king to the feudatories of the domain and to their vassals. There

were discussed questions affecting the common weal of the king, and of all his tenants *in capite* throughout the realm. There also were proposed or promulgated such general regulations as the exigencies of the king or of any parts of his kingdom were supposed to require; and there especially was determined whatever related to the raising of tailles, or imposts, for the king's service, in any part of his dominions.

This royal court or Parliament was, however, not a Legislature in our modern sense of that word. It was rather a convention, in which, by a voluntary compact between the king as supreme suzerain and the greater seigneurs as his feudatories, an ordonnance or an impost was established either throughout the entire kingdom, or in some seigneuries apart from the rest. From any such compact any seigneur might dissent on behalf of himself and his immediate vassals, or, by simply absenting himself, might render the extension of it to his own fief impossible.

This system of holding royal courts or Parliaments was of gradual and tardy growth. It can, indeed, scarcely be traced at all in the four first Capetian reigns. But in the time of Louis VII. it received a new impulse and importance from a cause which never before or since exercised so striking an influence over human affairs. The British Arthur of the ballads of that age had sat at his round table encircled by his twelve knights, and the Troubadours and Minnesingers had therefore assigned to Charlemagne (the hero of their romances) an equal number of paladins. Bards have, in all times, had the high office of predicting the future. In mediæval France, as in ancient Greece, they attained to the additional prerogative of divining, or rather of creating the past. Louis VII. believed, or affected to believe, in Turpin, and in his traditions of Roland, Oliver, and Tristan; and, in real or pretended deference to them, he actually summoned to his royal Parliament, with the rank and title of Peers of France, six of the chief ecclesiastical, and as many of the principal lay seigneurs of his realm.

The romance thus became a reality. The fiction passed into a truth. In the dramatic spirit which enters into the very life of the French people, Louis VII. and each in turn of his successors delighted to enact the rôle of Charlemagne, while each of these great princes, secular or ecclesiastical, gladly

and ostentatiously assumed the character of a peer and paladin. Many generations had passed away before those peers had entirely ceased to be regarded as a distinct order in the state, and as the lieutenants and chief counselors of their sovereign. As, however, they did not form a separate body, but sat and deliberated with the other chief feudatories in the feudal Parliament of the king, they enhanced, instead of impairing, the authority of his great council or royal Parliament.

Subject to the many corrections which would be requisite to reduce to perfect accuracy this slight sketch of the origin of the great council or Parliament of the kings of France, such was, in substance, the constitution of it at the time of the accession of Louis IX. Before the close of his eventful reign, that monarch had acquired the character, and was in full exercise of the powers, of a law-giver, and was habitually making laws, not with the advice and consent of his council or Parliament, but in the exercise of the inherent prerogative which even they now began to ascribe to the French crown.

I have already observed, that under the Feudal System, each tenant *in capite* of the crown held within his fief a Parliament of his own free vassals, at which were adopted such general regulations as the exigencies of the seigneurie were supposed to dictate, and especially all such as related to the raising imposts; and that, when it was judged necessary to establish any such regulations or imposts throughout the whole kingdom, the king and his chief feudatories adopted them at the royal court or Parliament, rather as international compacts than as legislative enactments, in our sense of those words.

But in the reign of St. Louis new maxims began to prevail. In the Roman code, the royal judges found an inexhaustible magazine of weapons with which to assail the feudal, and to defend or enlarge the royal power. The wisdom of the proprietary laws of Rome, and the equity of much even of her penal laws, afforded at once an apology and a disguise for the silent introduction into France of much also of her political law. Yet it was a law which had been molded into its later forms in an Oriental seraglio, and which was fit only for the government of a debased and servile population. The inherent powers of the French crown were assumed by the king, and asserted by the judges, to be co-ordinate with those of the

Byzantine Diadem. As the Emperor of the East had been accustomed to issue rescripts at his pleasure, so it was maintained, cautiously at first, but confidently at length, that the King of France was also entitled, in the exercise of his royal authority, to make such enactments as he might think necessary. As the Crusaders had placed a French prince on the throne of the East, so the East was now avenged by placing an absolute power in the hands of the kings who afterward sat upon the throne of France.

These encroachments, however, scarcely attracted the attention, or, at least, they did not provoke the jealousy, of the nobles of that warlike and improvident age; nor did any monarch ever disarm suspicion by a nobler apology for the enlargement of his own powers, than that which St. Louis derived from the wise and generous uses to which he devoted them.

Thus, for example, the feudal seigneurs and their clans, like some of the barbarous tribes of Australia in our own times, regarded the responsibility for bloodshed as extending to the remotest kindred of the man-slayer, and as descending from generation to generation. They therefore, like those tribes, or like our old Scottish clans, waged against each other wars of alternate, and therefore of interminable vengeance. Louis IX., in the exercise of his assumed character of a law-giver, published an ordinance interdicting all such private wars. The wisdom and the advantage of it were so evident, that the illegality of it was unheeded or forgotten.

Thus, also, the court of Rome always claimed and often exercised three invidious and formidable secular powers. These were, first, the power of nominating incumbents to benefices in derogation of the rights of private patrons; secondly, the power of appointing the officers of cathedral churches without the consent, or against the will, of the bishops, deans, and chapters; and, thirdly, the power of levying imposts on the ecclesiastical revenues of France, without either the concurrence of the clergy or the permission of the king. Louis IX., with universal applause, interdicted all such papal encroachments by that celebrated law which was ever afterward designated as his Pragmatic Sanction.

In these, as, indeed, in most of his assumptions of legislative power, St. Louis was, beyond all doubt, actuated by purposes

as pure as his enactments themselves were beneficial to his people. Yet a conspicuous place is due to him in the roll of princes, whose very virtues have been fatal to the states they governed; who, in genuine but mistaken patriotism, have cast down ancient landmarks of inestimable, though unperceived value, and who have bequeathed to future times examples to be followed with equal readiness, though with most dissimilar motives, by the worst as well as by the best of their successors.

The apology of having been guided only by public spirit and love of country will, however, not apply to the most remarkable of the assumptions which St. Louis made of the power of legislation. I refer to that code or body of laws already mentioned, which bear the title of his Etablissements. It is a rude imitation of the Justinian Code, and is evidently the work of some practiced lawyer of that age, whose literary labors probably attracted but little of the attention of the king, in whose name they were promulgated. This French Tribonian, whoever he may have been, seems to have been deeply imbued with the spirit of the légistes of his times. His work, though destitute of all methodical arrangement, is not without proofs of a certain unity of design. That design was to elevate the royal at the expense of the baronial power; to repress, at whatever cost of human suffering, those crimes which Feudalism most readily sheltered; to extend the authority of the Roman law by superseding in its favor the customary codes of the greater fiefs; and to enlarge the powers of the legal profession by throwing over the administration of justice a veil impervious to any eyes but theirs.

Inconsiderate as were the peers and barons of France in the thirteenth century, they did not silently acquiesce in this last and greatest usurpation by St. Louis of the legislative office. But their opposition was vain; for, first, the promulgation of the Etablissements was very nearly coincident in point of time with his departure for his last and fatal crusade to Tunis, when the thoughts of all men were agitated by interests much nearer and much dearer to them than those of constitutional privileges. And, in the next place, the objections of the seigneurs appear to have been overruled by their legal colleagues in the royal court or Parliament. There is to be found in Beaumanoir, one of those jurists, an account of the distinction in vir-

tue of which they vindicated the claims of their sovereign to legislative power. "One may not say," he writes, "that the king is of right the law-giver; but it is admitted that he may *promulgate* laws for the good of the realm; and it is proper to obey them, because we are bound to suppose them to result from a wisdom superior to that of other men." It is difficult to imagine any conclusion which might not be yoked to any premises by the master of such a logic as this.

I have already stated that, at the commencement of the fourteenth century, the Parliament of Paris began to complete that chain of subordination by which the whole judicial hierarchy was to be constituted and bound together as a single and united body. But thus far I have been engaged in explaining how, in the presence of that Parliament—that is, of the royal council (for the terms were then convertible)—Louis IX. accomplished the greatest of all additions to the hereditary prerogatives of his crown. With our English prepossessions, it is impossible to repress the wonder, and even the incredulity, with which we at first listen to the statement that the supreme judicial tribunal of the kingdom could be otherwise than the zealous and effectual antagonist of so momentous an encroachment. To explain this, it now becomes necessary to resume the broken thread of our discourse, and to inquire how the royal council or Parliament added a judicial authority to their earlier and more appropriate functions, and what was the precise nature of that authority.

On the departure of Philippe Auguste for the Holy Land, he had thought it necessary to provide for the decision, during his absence, of such complaints as were in his days often preferred to the crown respecting the conduct of the royal officers, political or judicial. With that view, he directed the queen-mother and the Archbishop of Rheims, as regents of the kingdom, to hold once in each year an assembly of the greater barons. This practice had become habitual by the time of Louis IX. For the confirmation and improvement of it, that monarch ordered that, before the day of any such assemblage, citations should be issued, commanding the attendance, not, as before, of the greater barons exclusively, but of twenty-four members of the royal council or Parliament. Of those twenty-four, three only were to be great barons, three were to be bishops, and the re-

maining eighteen were to be knights. But as these members of the royal council did not appear to St. Louis to possess all the qualifications requisite for the right discharge of the judicial office, he directed that thirty-seven other persons should be associated to them. Of those associates, seventeen were to be clerks in holy orders, and twenty légistes, that is, men bred to the study of the law. The functions assigned to the légistes was that of drawing up in proper form the decrees and other written acts of the collective body.

To this body, when thus constituted, was given the distinctive title of the Parliament of Paris. If we search our own institutions for an analogy to the Parliament of Paris as originally established, that analogy would be best discovered in the Star Chamber of ancient times, or in the Judicial Committee of the Privy Council as it has existed since the Restoration; for the members both of the English and of the French chambers acted at once as judges and as privy counselors, and composed at the same moment a council board and a court of justice. For the twenty légistes of the Parliament of Paris, counterparts may be found in the Clerks of the Council in England.

But the légistes did not long content themselves with that humble position. The barons, the bishops, and the knights of the Parliament of Paris were beset with difficulties precisely similar to those which (as we have seen) had perplexed the judges of the seignorial courts. They were rescued from them by the same hazardous remedy. The conseiller clerc, as he was called, brought with him to the Parliament the same humble aspect as that which the lettered clerk had brought to the baronial tribunes, as a veil to the same aspiring ambition. He was always a scholar, and usually a churchman. He had been trained, probably at Bologna, in the study of the Roman law. He was an adept in conducting legal controversies through all their devious stages to their legitimate close, and in deducing from those voluminous premises their just and logical conclusions. At first the barons, knights, and prelates listened, or seemed to listen, composedly to those sleep-compelling oracles, and pronounced, or seemed to pronounce, the sentences dictated to them. But ennui and ridicule (powers ever regarded in France with the liveliest abhorrence) proved in the Parliament of Paris a purge quite as effectual as that

which Colonel Pride administered to the English House of Commons. The conseiller clercs were soon left to themselves, in due time to found, and to enjoy, what began to be called La Noblesse de la Robe.

Having thus assumed the government of the court, the légistes next proceeded to enlarge its jurisdiction. It had, as we have noticed, been at first convened merely to take cognizance of complaints preferred to the king against the misconduct of his officers, political or judicial. But legal astuteness could not long be confined within such narrow limits.

The earliest recorded invention of the conseiller clercs was what, in the language of Westminster Hall, would be called the writ of *committimus*. It was a royal license, which authorized a person complaining of a grievance cognizable in any of the royal courts, to overleap those ordinary jurisdictions, and to prefer his complaint to the Parliament at once. When this innovation had been firmly established, the légistes proceeded to promulgate the doctrine that, even without a special committimus, all prelates were entitled to this privilege; a right which, if I mistake not, was afterward admitted in favor of the greater barons also. And, lastly, the lawyers maintained that, the wrong decision of a judge being equally injurious to the suitor whether the error was willful or unintentional, the grievance must, in either case, be equally remediable by a Parliament expressly convened for the redress of *all* grievances inflicted on the king's subjects by his judicial officers. In other words, they established the rule that the court in which they served could entertain *appeals*, in the proper sense of that word, from all the other courts within the royal domain.

By these astute constructions of the law, the Parliament had, in the beginning of the fourteenth century, become the supreme legal tribunal within the whole of that part of France which was at that time attached to the crown. In all the other parts of the kingdom, the seignorial courts retained the whole of their ancient jurisdiction, excepting only, *first*, when suits were evoked from them to the royal courts, as cas royaux; and, *secondly*, when any such suits were brought, in the first instance, before the Parliament by the writ of committimus.

Having thus enlarged the range of its jurisdiction, the Parliament of Paris next advanced to the increase and consolida-

tion of its powers. The measures taken with that view may be arranged under the nine following heads:

First. With a view to that apportionment of duties which is essential to the combined and energetic action of the members of any corporate body, the Parliament was divided, in the reign of Philippe le Bel, into three chambers; that is, the Chambre des Requêtes, which took cognizance of all original suits; the Chambre des Enquêtes, where all appeals were prepared for adjudication; and the Great Chamber, where such appeals were actually adjudicated. From this third chamber the légistes were, at this period, excluded.

Secondly. The royal council had always been a migratory body, because it was always bound to attend the king in person. But, though the Parliament was (as has been seen), to a certain extent, identical with the royal council, it became sedentary in the year 1319. From that time it met at Paris, and there only.

Thirdly. In the reign of Philippe the Long, this identity or union of the royal council and of the Parliament was virtually, though not formally dissolved, and each of them thenceforward existed as a substantive and distinct body in the state. Every member of Parliament was then bound to a constant residence in Paris, except during the regular parliamentary vacations. I am aware of no proof that this innovation originated with the légistes. But the case is probably so, because the effect of the change was immediately to elevate their own order to the supremacy which they ever afterward enjoyed in that tribunal. No prelate, except the Archbishop of Paris, could any longer retain his place there, for no other prelate could fix his permanent abode in the capital. For the same reason, the greater number of the most powerful of the baronial members became disqualified, and the lawyers thus found themselves in undisputed possession of the supreme court of justice in the royal domain.

Fourthly. They sat there, originally, by the simple nomination of the king, and during his pleasure; but, as early as the year 1345, the practice was introduced of appointing the parliamentary counselors, as they were now called, for life. They received annual stipends, and their number was limited.

Fifthly. Ere long the crown made a yet farther concession in their favor. As vacancies on the bench occurred, candidates for the succession were proposed to the king by the remaining counselors, and it became a settled practice to make the choice out of that list of candidates. This statement applies only to the regular or stipendiary members. The number of honorary members was unlimited, and usually included many persons of high rank. But in those days such persons, as a matter of course, absented themselves from the obscure labors of a judicial tribunal.

Sixthly. Thus far the innovations in the character and composition of the Parliament of Paris were not ill adapted to secure the independence of the judges, and to invigorate their activity. But in the disastrous reign of Charles VI. occurred a change of a very different tendency. At that time a seat in the Parliament was converted from a tenure for life into an inheritance. The study of the law, with a view to the judicial administration of it, thenceforward became the exclusive patrimonial privilege of a certain number of families. A new order of nobility thus made its appearance. The magisterial noblesse asserted, if not an equality of rank, at least an equality of rights, with the feudal and military nobles. In the royal ordinances promulgated during two hundred years next succeeding the middle of the fourteenth century, may be traced the successive advances made by the parliamentary counselors toward these aristocratic privileges. Without pausing to enumerate the fiscal burdens from which they were thus exempted, it may be generally stated that they were at length delivered from all those which it was the peculiar fate and hardship of the roturiers to sustain.

Seventhly. And as the counselors of the Parliament of Paris thus fortified their position, so they continually enlarged the range of their judicial authority. The writ of committimus was brought within the reach of suitors of low degree, instead of being denied, as at first, to all persons below episcopal or noble rank. The appellate jurisdiction was extended to the decisions, not only of the university tribunals, but, in many cases, to those of the ecclesiastical courts also. Even the Chambre des Comptes was compelled to receive a certain number of parliamentary counselors as their assessors in hearing

complaints against their own judgments, from those public accountants whose receipts and payments were audited there.

Eighthly. The Parliament, with more or less success, proceeded to usurp some of the functions of the executive government. I do not, however, pause to recapitulate those attempts, because they were finally repressed by the strong hand of Charles VII. and his immediate successors.

Ninthly. The establishment of the grand jours made a great accession to the more appropriate powers of the Parliament. By grand jours were meant assizes held, or commissions of inquiry executed, by a certain number of the parliamentary counselors, at the great cities, within the local limits of their jurisdiction. The Ordonnance de Blois required that such assizes should be holden annually. But, in fact, they took place at uncertain and infrequent intervals. The parliamentary commissioners holding them were charged with duties not strictly judicial, but rather resembling those of the missi dominici of Charlemagne, or those of the baillis of a later age. For example, they held inquests to ascertain whether the laws were properly observed, whether the officers of the crown were faithfully discharging their duties, and whether there were any public abuses demanding correction. Even toward the close of the eighteenth century such inquests were not entirely obsolete.

While the Parliament was thus developing its powers and enlarging its privileges, three other judicial revolutions were in active though silent progress. The first was the gradual elevation of the royal courts of the baillis and prévôts; the second was the continual depression of the hereditary feudal jurisdictions; the third was the growth of the provincial Parliaments.

First, like satellites obeying the impulse and pursuing the orbit of their central body, the royal courts followed the progress of the Parliament to which they were subordinate. Thus, originally, the seneschals and baillis had been appointed by the king at his own discretion. But, in the sixteenth century, they were selected by the king from a list of candidates presented to him by the Parliament. Thus, also, the baillis, though always seigneurs of high rank, and never professional lawyers, had originally been accustomed to preside in person

in their own courts. But now they were first permitted, and then required, to execute their judicial functions by substituting for themselves deputies learned in the law. Early in the sixteenth century, those learned deputies had entirely superseded their unlearned principals on the judgment-seat; and, when the courts of the baillis had received this new character, a royal edict of the year 1536 for the first time distinctly defined the range of their jurisdiction. With some exceptions, which I do not pause to enumerate, that jurisdiction was declared to extend over almost all questions, civil or criminal, of which the cognizance belongs to any secular tribunal, though subject, of course, to the appellate authority of the Parliament.

The baillis, or deputy baillis, had always been aided by assessors or peers, or, as they might with little inaccuracy have been called, jurors, taken from the body of the people. But, in the sixteenth century, this popular element in the composition of these courts was superseded. The change was brought about under the convenient shelter of new appellations. Courts differing little, if at all, from those of the baillis, except in name and in rank, were appointed by the king with the title of siéges presidentiaux, or presidencies. The substantial difference was, that the president was aided neither by assessors, nor peers, nor jurors, but by stipendiary and permanent judges. The new institution, or rather the new name, gradually took the place of the old. The presidencies, like the Parliaments, administered justice scientifically, and without any infusion of the public voice or sentiment. Ere long the mention of baillis disappears from the judicial history of France, although, under the name of presidencies, they were, in fact, perpetuated until a comparatively recent period.

The courts of the prévôts were, in the same manner, brought into harmony with the supreme or parliamentary judicature. They had originally been established for the trial of minor cases, and especially of cases affecting the roturiers. But the sphere of the prévotal courts was now enlarged. Their appointment proceeded no longer from the crown, but from the seneschals and baillis; and every prévôt was required to summon as his assessors, not peers or jurors taken from the people at large, but persons who had graduated in the law.

Secondly. The next consequence of the growth of the powers and privileges of the Parliament was the depression of the seignorial or hereditary jurisdictions.

Francis I. had purchased from some of the heritors of these rights in the city of Paris a renunciation of them for money. But the royal purse was a far less effective instrument of their overthrow than the subtlety of the lawyers. They argued that every such jurisdiction must at first have been acquired either by usurpation or by a royal grant. If by usurpation, it was void *ab origine*, and no lapse of time could remedy that inherent vice in the title. If by royal grant, then the grantee had been merely a royal officer, the delegate of the king's authority. But the king's delegate was bound by the feudal law to do homage in respect of any office holden by him under such a delegation. Therefore all seigneurs must do homage on account of their patrimonial jurisdictions; that is, they must acknowledge the subordination of their courts to the courts of their suzerain.

The practical results of this doctrine justified the sagacity which had discovered and promulgated it. For, first, the king forbade the seigneur to preside in his court in his own person. Secondly, he commanded him to appoint and to pay a deputy to be approved by the king himself. Thirdly, the seigneur was declared to be personally responsible for the damages which any one might sustain by the judicial misconduct of his deputy. Fourthly, he was also declared liable for the support of the prisons and court-house within his seigneurie; and, lastly, it was provided that if a royal and seignorial court should both have their seats within the same parish, they were not to sit simultaneously, but by triennial alterations. All the inferior seigneurs were thus (so to speak) *legislated out of* their hereditary judicatures. The right of *justice* was rendered not only a worthless, but a burdensome privilege. Still, however, not a few noble and princely houses yet retained, in the seventeenth and eighteenth centuries, those judicial rights which acquired an imaginary value by their increasing rarity, and which attested the patrimonial wealth and dignity of which those houses were the actual occupiers and the legitimate inheritors.

The third judicial revolution which I have mentioned as

coincident with the growth of the powers of the Parliament of Paris, is the development of the provincial Parliaments.

Whatever I have hitherto offered respecting the jurisdiction of the Parliament of Paris, must be understood as referring only to that part of France which was included within the royal domain. Though it constituted by far the largest fief in the kingdom, yet many of the most important provinces of France lay beyond its limits, and acknowledged the great feudatories of the crown as their sovereign princes. But, in the fourteenth century, the royal domain had, by successive conquests, been enlarged to more than twice its original extent. The great provinces of Normandy and Languedoc were at that period incorporated in it, and a new question arose, to be debated, indeed, by lawyers, but to be decided only by princes. That question was whether the supreme tribunals of Normandy and Languedec had not, in consequence of the annexation of those provinces to the crown, become royal courts, and whether, therefore, their judgments, in common with those of all other royal courts, might not be brought by appeal before the Parliament of Paris for revision and amendment.

It would be beside my present object to pursue the details of that controversy. I will confine myself to the attempt to indicate, under the six following heads, what was at length the position taken by these, and by the other provincial Parliaments, in the judicial system of France.

First. The most celebrated of those bodies is the Parliament of Toulouse. It was created by Philippe le Bel, and in his time it embraced Guienne, Languedoc, and the whole of the country to the south of the Dordogne. Charles VIII., finding that Parliament in decay, re-established it with privileges and immunities corresponding with those of the Parliament of Paris. After the lapse of eight years, the same monarch effected a judicial union beween the two Parliaments; that is, the counselors of each were declared to be counselors in both; and this theoretical unity of the sovereign courts of the South and of the North became, in later times, the germ of the broader and more practical doctrine, that while each of the French Parliaments was sovereign and supreme within its own precincts, they all collectively formed one great institution, the

dispersed members of which enjoyed a perfect equality and intercommunity of rights.

Secondly. In 1472, Guienne and several minor districts adjacent to the city of Bordeaux were subjected to the jurisdiction of a Parliament then, for the first time, created in that city, and were withdrawn from the jurisdiction of the Parliament of Toulouse. The Parliaments of Dauphiné, of Burgundy, of Normandy, of Provence, of Brittany, and of Dombes, were all successively established in the fifteenth and sixteenth centuries by Louis XI., by Charles VIII., by Louis XII., by Francis I., and by Charles IX. In the following century, Louis XIII. created Parliaments in Béarn and in the Three Bishopries; and Louis XIV. was the author of *similar* institutions in French Flanders, in Franche-Comté, in Alsace, in Roussillon, and in Artois. But, though *similar* to the rest, the institutions of Louis XIV. did not enjoy the rank, and did not bear the name of Parliaments. They were called sovereign councils or provincial councils. There was, however, no substantial difference between the various supreme provincial judicatures of France, except such as resulted from the inflexible varieties of their various local circumstances.

Thirdly. All the Parliaments of France were *sovereign;* that is, each of them was supreme over all other royal courts within its appropriate precincts, and was itself exempt from the control of any appellate tribunal. The judgments in each of them were executed in every part of the kingdom *proprio vigore;* that is, without being affirmed by the local court of any other province. Eventually it was decided by practice, if not in theory, that no appeal would lie, even to the Parliament in Paris, from any judgment of any provincial Parliament.

Fourthly. The institution of a sovereign court in any part of France came to be considered as the proper and indispensable recognition of the fact that the territories over which it administered justice had been finally annexed to the French crown, in derogation of any other sovereignty, whether feudal or foreign.

Fifthly. All these Parliaments, though instituted by the king, were considered as the official protectors of the rights and independence of their respective provinces.

Sixthly, and finally. The system of administering justice in the Parliament of Paris, and all the judicial rights, powers, and privileges of that body, belonged, in all their force and integrity, to all the other sovereign Parliaments of the realm, though subject to variations originating in local and peculiar causes.

In the age of Louis XIV., therefore, France possessed a judicial system characterized by a remarkable uniformity in all the provinces of the kingdom, and by a no less remarkable subordination within each province of the several ranks of the judicial hierarchy to each other. Every reader of French history is, however, aware of the very prominent place which it assigns to the Parliaments, and especially to the Parliament of Paris, in the political events, and especially in the political controversies, of the reigns of the family of the house of Bourbon. It remains for us, therefore, to inquire, What were the motives, and what the effects, of these habitual departures of the magistracy from what we in England should consider as their only appropriate duties?

Before I attempt a more direct answer to that question, I would direct your notice to a peculiarity in the French jurisprudence for which our own habits of thought and action do not prepare us. I refer to the Ministère Publique. No one can rightly appreciate the conduct of the French Parliaments who is not in some degree conversant with the nature of that institution.

Originally, the enforcement of the penal law, and the protection of the rights of the crown or of society at large, belonged to the seigneur and his vassals in the fiefs, and to the seneschal and the king's vassals in the royal domain. The judges of those feudal courts were also the conservators of the public peace, of the revenue, and of all the other public rights within their respective precincts. But when those tribunals were superseded by the royal courts, all such functions were transferred to the advocates of the king, and, in subordination to them, to the royal procureurs or solicitors. As early as the year 1354, the principal of these advocates appears to have borne the title of Procureur Général. He was the chief of what was called the Parquet; that is, of a body of advocates and procureurs specially engaged to represent his person, and

to execute his orders in any tribunals in which he could not himself be principally present. The Procureur Général and his substitutes were collectively called the Ministère Publique.

The functions of this great officer were alike high and arduous. He was the universal public prosecutor. Before any adjudication of the court to which he was attached, he delivered his conclusions; that is, he demanded a judgment in such terms as, in his opinion, the law sanctioned and the public interest required. Therefore, if, in any private suit, the litigants concurred either in asking a sentence which the law forbade, or in deprecating a sentence which the law enjoined, the procureur général, by his conclusions, resisted them both, in the interest, as it was expressed, of the law itself. To the ministère publique also belonged many extra-judicial functions. They were examiners of weights and measures. They had a surveillance over certain parts of the police. They occasionally ratified the by-laws of incorporated guilds. They were protectors of the royal revenue, and consequently exercised some degree of influence in every branch of the administration of public affairs. The procureur général, as the head of this great ministry, was considered not only as a member of the Parliament of Paris, but as its most powerful member; and, under the shelter of his great, though indefinite authority, the Parliament were continually enabled to prefer, and were sometimes successful in establishing, their own political pretensions.

Those pretensions were not destitute of some plausible basis, as, indeed, in the modern European world, Might has always rendered to Right the homage of abstaining from a naked and avowed usurpation.

When the kings of France originally made laws for the government of the royal domain, it was, as I have already observed, in an assembly of the great vassals of the crown, and with their concurrence. If the king proposed to the assembly a law which the vassals disapproved, the language in which they expressed their dissent would, in the phraseology of those days, have been called a remonstrance. But in the Middle Ages the word rémontrer did not mean to complain of an injury, but rather to represent, or bring under consideration, suggestions on any proposal.

But at the period when the Parliament of Paris was acquiring its peculiar character as a court of justice, the meetings of the great vassals of the crown, to co-operate with the king in legislation, were falling into disuse. The king, as I have already explained, had begun to originate laws without their sanction; and the Parliament, not without some show of reason, assumed that the right of remonstrance, formerly enjoyed by the great vassals, had now passed to themselves.

For it was a principle admitted, I think, without exception, by every French king and minister in his turn, that the Parliament were neither bound nor at liberty to execute any royal ordinance unless it had first been communicated to them and registered among their records. Before the art of printing was in use, it was scarcely a fiction to say that a court of justice was and must be ignorant of any ordinance which had not been first read over to them, and then deposited in their archives for facility of reference.

When any such ordinance was thus communicated to the Parliament, they, if dissatisfied with it, answered the communication by a "remonstrance," in the sense which I have already given to that word. If their remonstrance was disregarded, their next step was to request that the projected law might be withdrawn. If that request was unheeded, they at length formally declined to register it among their records.

Such refusals were sometimes, but were not usually successful. In most instances they provoked from the king a peremptory order for the immediate registration of his ordinance. To such orders the Parliament generally submitted; but, even in that case, the arrêt for registering the law was usually prefaced by a preamble, explaining that it had been pronounced in submission to the king's express commandment. The act of obedience was thus accompanied by a protest against the compulsion by which it had been enforced; and thus, even when the right of resistance did not actually prevail, it was at least asserted; and, by every new assertion of it, that right (as it was supposed) acquired additional strength.

To fortify themselves in this contest, and to enlist public opinion on their side, the Parliament maintained the doctrine that, among the laws of the realm, some might be distinguished from the rest as being elementary and fundamental:

and they ascribed to themselves the character of guardians of those fundamental rights during the long intervals which separated from each other the sessions of the States-General.

But an effective veto on all royal ordinances, though the chief, was not the only political power with which law or custom had invested them.

For, first, they were, to a certain extent, legislators in their own persons. The royal laws which they were bound to execute were often defective, and it became an established maxim, that, in order to give efficiency to any such law, the Parliament might promulgate arrêts for supplying such omissions. Those supplementary arrêts were, indeed, provisional only, until the defect of the existing law should be supplied by the king himself; and it was always in the power of the king to abrogate or disallow them. But, notwithstanding these restrictions, the right of making such arrêts was a political privilege of no light significance.

Secondly. As often as any Papal Bull was sanctioned by the king, it became a part of the law of France to be enforced by the ordinary tribunals. Every such bull was therefore sent to the Parliament for registration; and by resisting or remonstrating against the registration of it, the Parliament not only established the right of intervening in all ecclesiastical affairs, but succeeded in investing themselves, in popular esteem, with the high office of protectors of the liberties of the Gallican Church.

Thirdly. They also established a right to interpose in diplomatic questions; for treaties with foreign powers, being incorporated into that part of the Jus Gentium to which the Parliaments were bound to give effect, were also supposed to require a parliamentary registration. They therefore not seldom provoked remonstrances and refusals from that high tribunal. It must, however, be added, that, in the exercise of this power, the conflict between the Parliament and the crown was sometimes nothing better than a comedy. For example, when Francis I. had signed the humiliating treaty of Madrid, he laid it before all the Parliaments of France, who all refused to register it or to acknowledge its validity, because, as they alleged, no king of France had a right to bind himself and his people to such a dismemberment of the realm. Nothing could

exceed the meekness with which the haughty monarch for once bowed to a rebuke which narrowed his own prerogative. To be absolved from an unwelcome engagement to which his Christian faith and royal honor had been pledged, even the acknowledgment of the controlling authority of a company of long-robed lawyers did not seem an excessive price. He was not always thus docile; for,

Fourthly. The Parliament assumed the right to adjudicate as mediators between all the other powers of the state, and that mediation was usually accepted except when the king himself was engaged in any such controversy. When, however, the Parliament attempted thus to define the limits of the prerogatives of Francis I., he indignantly told them that they were attempting to debase him to the condition of a Doge of Venice, and to raise themselves to the rank of Venetian senators.

From that age till the subversion of the monarchy there was a constant succession of conflicts between the king and the Parliament, with an invariable sameness in the result. Thus Henry II. assailed them by dividing the grand chamber into two bodies, which held alternate sessions of six months each. Charles IX. had recourse to the practice of holding Lits de justice, where, by appearing in person in the Parliament, he silenced all remonstrances to the registration of his edicts. Richelieu dismissed some refractory members and imprisoned others, and compelled the whole company, with bare heads and on their bended knees, to supplicate the king's forgiveness. The court, the princes, the populace, and the armies of Condé and Turenne dissolved that union of all the Parliaments and sovereign courts of France, which, during the troubles of the Fronde, had menaced the kingdom with a new and strange revolution—a revolution by which the absolute dominion of the house of Bourbon would have been transferred to a company of hereditary magistrates. Louis XIV. never forgot or forgave the attempt. Clothed in his hunting dress, and (as it is usually added) with his whip in his hand, he presented himself to the Parliament of Paris, who, even more astonished by his costume than by his imperious tone, listened submissively to his commands to address to him no more remonstrances, but to confine themselves exclusively to the discharge of their ju-

dicial office. By letters patent of the year 1673, he directed that all the royal edicts and declarations should be registered at Paris in eight days, and at the seats of the other Parliaments in six weeks from their date; and, until they had been so registered, all remonstrances against them were strictly prohibited. During all the remaining part of his long reign, the French Parliaments became simply courts of justice and nothing more.

The secret of their ill success in the attempt to elevate themselves to the highest rank among the members of the political commonwealth is immediately detected. They were an aristocracy elevated by learning, talents, and station above the mass of the people, but an aristocracy which was at once obnoxious to the plebeian malignity of the many, and to the patrician haughtiness of the few. In the eyes of the nation at large, the parliamentary counselors were but a privileged caste, and their contests with the crown were but so many selfish struggles for their own personal aggrandizement; and even in the judgment of many of the illustrious magistrates of whom France is so justly proud, of L'Hôpital, of Molé, of Harlay, and of D'Aguesseau, the attempt of their colleagues to attract to the Parliament of Paris a large participation in the powers of the crown, appeared at once hopeless of success, and most disastrous if successful. To those great men it was evident that the inevitable effect of the accomplishment of such a design must have been, not to rescue the nation from despotism, but to subject it to the most galling of all tyrannies, by uniting the legislative, administrative, and judicial powers in the hands of the same men, and of men totally disqualified, by their education and their habits, either to legislate with wisdom, or to reign with magnanimity.

The preceding statements will, I trust, enable me to render intelligible in a few words the more precise answer which it remains for me to return to the question with a view to which they have been chiefly made—the question, namely, Why did not the administration of justice contribute in France, as it contributed in England, to create and to maintain the national liberties?

First. Our land has ever lived under the dominion of law. By that power the physical force of the many, the formidable

influence of the few, and the arbitrary will of the monarch, have ever been controlled with more or less of energy and success. This dominion of the law was exercised, in the time of our Saxon progenitors, in the Folk-motes, the Shire-motes, and the Wittenage-motes. In our own times it is exercised in our courts of justice and in our high court of Parliament. During more than a thousand years, our legal tribunals have been interposed between the various organs of the state, to vindicate the rights, and to arrest the encroachments of them all. Throughout that long course of ages, those legal sanctuaries have been at once the bulwarks of order and the strongholds of liberty in England; and to them it is to be ascribed that the English Parliaments have never fallen as the Cortes of Spain fell, and as the States-General of France silently disappeared.

If, as I believe, this is a correct summary of the judicial history of England, it reverses with no less correctness the judicial history of France. For, first, the French judicatures were all erected on a feudal substratum. The king's seneschal and vassals in the royal domain—the seigneurs and their vassals in their respective fiefs—constituted the original tribunals of the whole kingdom. But they constituted, also, the deliberative and executive government, and the military staff of each fief, royal or seignorial. They were bodies in which the people had no share, over which public opinion exercised no control, and the members of which were too numerous to feel any lively sense of individual responsibility. The baron who, at the head of his armed followers, was the terror of the vicinage, was not less formidable to his neighbor when he sat in his castle-hall to administer justice. The code of his tribunal might be reduced to the old pithy compendium, "Si veut le Roi, si veut la Loi."

Secondly. As if to multiply securities for wrong, and to give full scope to prejudice, *justice* was regarded in those times, not as a sacred duty, but as a patrimonial inheritance. Like property of every other kind, it was considered by the owner as a legitimate means of personal gratification. No two ideas were ever more absurdly or more perniciously associated.

Thirdly. When the légistes employed their subtlety to

usurp the functions and to improve the system of the feudal judges, they introduced into their courts all the arbitrary maxims which they had learned from the imperial and canonical codes. They rendered the administration of the law more scientific indeed, but they also rendered the law itself more subservient to the absolute powers of the crown.

Fourthly. When the king at length interposed to supply the defects of the feudal judicatures, by the appointment of prévôts and baillis, he still united, in the persons of the higher of those officers—the baillis—the judicial, military, and political functions. In proportion as they were effective lieutenants of their sovereign, they were partial and inefficient dispensers of justice to the people. But,

Fifthly. The substitution of stipendiary and permanent assessors for the ancient peers or jurors, in the tribunals of the prévôts and baillis, still more effectually deprived those tribunals of all sympathy with the people at large, and of every tendency to nourish or vindicate popular or constitutional privileges.

Sixthly. The Parliament of Paris had, from its birth, an indestructible bias toward arbitrary power, because, as I have shown, it was originally identical with the council, which itself was the passive and helpless instrument of that power.

Seventhly. When the judicial authority of the Parliament had passed from the grandees to the légistes, the légistes held it, not in virtue of any unequivocal right, which was openly acknowledged, but in virtue of a silent usurpation, which was studiously concealed. Like all other usurpers, the legal counselors of the Parliament were timid innovators. They imitated the spirit and habits of their predecessors, because they desired to be confounded with them. They countenanced the assumption of legislative power by St. Louis and his successors, gladly rendering their aid to the monarchical authority, on which the maintenance of their own was entirely dependent. There was, at all times, this kind of tacit compact between the kings and the Parliaments of France, at the expense of the rights and franchises of the French people.

Eighthly. The multiplication and dispersion of the Parliaments enfeebled the magistracy by dividing it. They never formed a single body, compact, unanimous, and invincible,

like the twelve judges of England, when meeting on four terms in each year beneath the same venerable roof of the hall at Westminster.

Ninthly. The judicial office became, in the persons of the parliamentary counselors, not only a property for life, but a property acquired by purchase. They therefore considered themselves on the bench as guardians of their own personal rights, and not exclusively as trustees and protectors of the rights of society at large.

Tenthly. The hereditary tenure of their office afterward converted them into a company, which stood aloof from all other Frenchmen. They formed, not a profession, but a caste. They became a distinct noblesse. They were exempted from all the fiscal burdens of the great body of the people. Their sympathies were, therefore, not with the people, but against them; not in favor of constitutional privileges, but of aristocratic rights, and of the rights of the king, as the source and shelter of their own aristocracy.

Eleventhly. The political character of the Parliament made them continually oscillate between the sycophancy of royal power and the flattery of plebeian turbulence. Whoever has read the Memoirs of De Retz is aware that, in that great crisis of their history, the Parliament were nothing better than the blind tools of the selfish nobles and mercenary demagogues, at whose bidding they waged war with the court and with Mazarin.

Finally. Among the judges of the Parliament of Paris were, at all times, many of the best, the wisest, and the greatest men who had ever acted on the theatre of public affairs in France. They acted, however, on too wide a theatre. They appeared there in characters so numerous, incompatible, and even discordant, that the weight of their judicial authority was overbalanced by the weight of their other functions. They could not have fought successfully the battles of the Constitution of the realm and of the franchises of the people, even had such been their wish, because they were at every moment compelled to defend their own very questionable pretensions. Nor, if success in such a contest had been probable, would they have really wished to engage in it. The aristocracy of the robe had no alliance with any democracy of the jury-box, and had no

tendency either to promote or to defend democratic claims, in the triumph of which their own overthrow was evidently and unavoidably involved.

LECTURE IX.

ON THE INFLUENCE OF THE PRIVILEGED ORDERS ON THE MONARCHY OF FRANCE.

That England is indebted for the growth and maintenance of her constitutional liberties to none of her sons so much as to her privileged classes, noble and sacerdotal, is an opinion which, for the present, I must be satisfied to announce dogmatically, hoping that I shall hereafter find a convenient occasion for establishing it on solid and indisputable grounds. In the mean time, I pass on to the inquiry which lies more directly in my path—the inquiry, How far the influence of the corresponding bodies in France contributed to subvert the Feudal Aristocracy, and why it was ineffectual to prevent the usurpation by the French Monarchs of an absolute and unlimited power?

As early as the Feudal Age, society in France was divided into the two classes of the Noblesse and the Roturiers. To the first of those classes belonged every tenant of a fief on military service. To the second of them belonged every free tenant of land on services exigible either in money or in kind.

Within his fief every noble enjoyed, to a greater or a less extent, a sovereign authority; that is, he could make war, levy troops, raise taxes, coin money, and dispense justice; although, in the exercise of those powers, he was more or less amenable to the dominion, and subject to the control of the king as suzerain of the whole realm.

This sovereign authority was, however, enjoyed in the highest degree by those nobles only who bore the title of peers of France; and that pre-eminent dignity, as we formerly saw, was first created by Louis VII. As in our days history is converted into romance, so in those days romance was converted into history. As the legend of Turpin (of which the archbishop of that name enjoys the unmerited credit) had sur-

rounded the board of King Arthur with twelve knights, and the throne of Charlemagne with twelve paladins, so Louis VII., believing, or affecting to believe those traditions, summoned to his Parliament twelve counselors, each of whom was an immediate vassal of the crown, and the holder of a fief lying *beyond* the precincts of the royal domain. On these counselors he conferred the high designation of peers of France. Six of them were ecclesiastics, the occupants for the time being of the archbishoprics of Rheims and of Sens, and of the bishoprics of Beauvais, of Meaux, of Noyon, and of Langres. The six original lay peers were the Dukes of Normandy, of Burgundy, and of Guienne, and the Counts of Flanders, of Vermandois, and of Toulouse. These great feudatories differed little, if at all, from independent princes. They acknowledged indeed, in theory, their obligation to render services to their king as their liege lord. But they seldom, if ever, fulfilled it in fact. Especially, they were unaccustomed to perform the duty of attending at his feudal court or Parliament. A memorable occasion, however, arose, on which Philippe Auguste required, and obtained their assistance at that tribunal. It was on the trial of one of their own number, John, duke of Normandy and king of England, for the murder of his nephew Arthur. When that precedent had been once established, it was frequently followed. Sometimes the peers of France were convened by the king to act judicially. Sometimes they met at his summons, to concert with him, and with his other great feudatories, such legislative or administrative measures as were designed to take effect throughout the whole kingdom. The laws made, or the resolves adopted at such meetings were, in fact, *conventions* between the Peers, the Barons, and their Suzerain, and were executed by them in their several fiefs, not in obedience to the king's command, but in pursuance of their own compacts with him.

There was, however, one fatal obstacle to the permanency of this institution. It consisted in the continually increasing probability of the annexation to the crown, either by conquest or by cession, of the lay fiefs, to which the dignity of the peerage was attached. As often as such an event might happen, the fief would lose its separate existence, and become absorbed into the ever-widening limits of the royal domain; while the

peerages themselves would either become extinct or would revert to the sovereign as the author of them.

In the reign of Philippe Auguste and of his successors, these events did actually occur. But, in their desire to perpetuate the peerage of France, those kings, as often as any such princely fief was added to their domain, annexed that dignity to the possession of other fiefs. Thus, for example, the duchies of Anjou and Bretagne and the county of Artois were elevated to this rank by Philippe le Bel. But the substitution was a nominal, not a real equivalent; for, in the days of Philippe le Bel, Anjou, Bretagne, and Artois were no longer independent feudal principalities. Each of them was, at that time, holden as an apanage by a near relative of the reigning monarch. The three new peers, therefore, owed to the king, as the head of their family, a subjection which the Dukes of Normandy, of Burgundy, and of Guienne would never have avowed, and an obedience which they would never have rendered. This first encroachment on the real powers of the peerage was quickly followed by others. Thus the number of the lay peers was first augmented from six to seven. Then it became customary to attach this honor to every new apanage which was created in favor of any other prince of the blood royal. At a later time it was bestowed, like an order of chivalry, on foreign sovereigns; as, for example, on the King of Scotland and the Duke of Cleves. Afterward, nobles of comparatively low degree, holding fiefs *within* the royal domain, were admitted to this high titular rank. At last it degenerated into a species of honorary distinction, which the crown conferred sometimes as appurtenant to certain lands, and sometimes as attaching merely to the person of the grantee during his life.

By these methods the peerage of France descended from the rank of a power in the state balancing the power of the crown, until it had become little or nothing more than an embellishment of some illustrious families, or a mere badge of royal favor and of courtly etiquette.

Next in the aristocratic hierarchy to the peers of France, but next with a long interval, were the peers of the royal domain. They also were the immediate vassals of the king on military tenures, but they were his vassals, not as king of the realm, but as duke of the duchy of France. Subordinate

to these, and of much lower degree, were the throng of seigneurs, distinguished from each other by countless gradations of rank and inequalities of power, the result either of the comparative importance of their fiefs, or of the different conditions on which those fiefs had originally been granted. As early as the thirteenth century, the policy of assailing and crushing this seignorial phalanx had passed into a traditional maxim of the Capetian monarchs. How, under the guidance of that maxim, those monarchs prohibited private wars and trial by battle, and established communes or bourgeoisies, I attempted to explain in two former lectures. Philippe Auguste pursued the same design by abolishing the Droit de Parage; that is, by acknowledging none but the eldest of the sons of a deceased seigneur as an *immediate* vassal of the crown, in respect of any part of the paternal seigneurie. Philippe le Bel aimed a still deadlier blow at their power, by depriving all future grantees of heritable lands of the three chief feudal rights; that is, of the haute justice, of the power of sub-infeudation, and of the right of ecclesiastical patronage. But the fatal wound was inflicted by Louis XI. To him is chiefly due the praise, or the reproach, of having made the noble separable from the seignorial rank. Precedents were not, indeed, altogether wanting to justify that innovation. But *he* first granted patents of nobility, not only to roturiers of low degree and of base callings, but even to whole classes of men. Charles IX. improved on this example. He sold such patents by the score. Henry III. advanced farther still. He brought to market not less than 1000 of them in the single year 1576. In a nobler spirit, as became him, but with results not dissimilar, Richelieu offered nobility as an inducement to men of wealth to establish commercial companies, and to embark in other expensive and hazardous public undertakings.

Thus the same fate befell both the peers of France and the seigneurs of France. The honors of each of those bodies first became the subject of royal patronage, and then were multiplied so profusely as to lose all their essential value. The greater and the smaller feudatories had alike, in earlier times, been the possessors of well-ascertained rights, and the depositories of formidable powers. From age to age they had ineffectually resisted and deplored the decline and fall of those ancient

prerogatives, until at length the time arrived when the order of nobility itself was debased into a subject of court favor and of mercenary patronage.

Yet, even in the midst of that debasement, nobility was something more than a mere titular distinction. Some substantial, or, at least, some highly-valued privileges, adhered to it. Thus every noble was exempt from all ordinary taxes. He had the rights of the chase, from which all ignoble persons were excluded. Special laws were occasionally made to enable the nobles to redeem their forfeited mortgages, or to repurchase lands which had been sold for the payment of their debts. The law of succession to the estate of a deceased ancestor was more indulgent to the claims of a noble than of an ignoble heir. In favor of the noblesse, many ecclesiastical benefices, many military commissions, and some public offices, were closed against all other candidates. And, finally, a certain part of the royal revenue was appropriated to the payment of pensions, in which the nobles alone participated.

It is, however, almost superfluous to say that such advantages as these were the source, not of strength, but of weakness. The possessors of them occupied the invidious position of burdens to the rest of society; nor did they relieve that odium by any important contributions to the public service. Under Richelieu, Mazarin, and the personal administration of Louis XIV., the nobles were, indeed, almost entirely excluded from any share in the conduct of public affairs; and though lavish of their blood in the field, they seldom won, even there, any other praise than that of heroic gallantry. Neither had they the power which every great body in the commonwealth derives from the unity and consolidation of its various members. The Noblesse, in the seventeenth century, was composed of many different and discordant elements—of nobles by birth—of nobles by patent—of nobles by office—and of nobles by franc-fief, that is, by the possession of certain lands to which that rank was inseparably annexed. These various sections of the patrician order, though possessing the same dignity and the same privileges, had nothing else in common, but regarded each other with a jealousy as acrimonious as that with which they were all regarded by the plebeian classes of society. I know not that a more curious and impressive

proof could be given of the diminished importance of the most ancient hereditary seigneurs in the reign of Louis XIV., than has been recently drawn by M. Dareste de la Chavanne from the arguments by which, at that time, they vindicated their ancestral claims to privilege and to honors. As that learned author has pointed out, De la Roque, their historian and apologist, resorted to various authorities to show that Adam was the tenant of the world itself, as a fief holden by him as the immediate vassal of the Creator; and that the later feudatories were but so many holders of arrière fiefs, derived by sub-infeudation from that primæval title. St. Simon, and even Bossuet, appear to have lent their countenance to the kindred opinion that the feudal rights were not a human, but a divine institution. When, relying no longer on their swords and their military retainers, the seigneurs rested their claims on such doctrines as these, it was evident that their strength had departed. When, virtually acknowledging themselves to owe to the nation at large a defense of their privileges, they could acquit themselves of that obligation by no better arguments than were thus supplied by these zealous advocates, it was clear that their days were numbered.

I have purposely compressed into the narrowest possible compass the statements I have to make in explanation of the impotence of the French Noblesse to prevent the usurpation by the house of Bourbon of an absolute and unlimited power, that I might leave myself the more space for explaining why the sacerdotal order was equally powerless.

The Gallican Church, in the earlier feudal times, enjoyed a large measure of independence, which may be considered, first, as internal; secondly, as judicial; and, thirdly, as financial.

Her *internal* independence, or self-government, consisted, first, in the free capitular elections of her bishops and other great dignitaries; secondly, in her national synods, which met, deliberated, resolved, and promulgated their resolutions, without receiving or soliciting any royal or papal sanction; and, thirdly, in the control which she more or less directly exercised over all the secular powers of the kingdom. While every other influence was tending to resolve France into an incoherent assemblage of hostile states, the Church was the centre and the cementing principle of the national unity. While

violence, oppression, and wrong held an otherwise undisputed dominion over the land, it was from that sacred shrine that order and justice proceeded on their mission of mercy to mankind.

Secondly. The *judicial* independence of the ancient Gallican Church was attested by the nature and the extent of her jurisdiction. No clerk in holy orders was amenable to any courts but hers, except when charged with capital offenses. Those courts had also an extensive cognizance of all cases of heresy and usury, and of all matrimonial and testamentary suits. To give effect to their sentences, the secular arm was always at their bidding.

Thirdly. The *financial* independence of the Church of France in the Feudal Age rested on the ancient and then well-established doctrine that spiritual persons were not liable to pay tribute for the support of any of the civil governments or potentates of the world. Whatever they gave toward the exigencies of the king, was in form at all times, and in reality at that time, a free and voluntary donation.

But, notwithstanding this internal, judicial, and financial independence, the Ecclesiastical Hierarchy were in many respects dependent on the Feudal Hierarchy. Six of the French prelates were (as we have already seen) peers of France, enjoying within their respective fiefs the same powers as the lay peers, and the same secular titles of dukes or counts. The temporalities of fourteen other sees were also holden of the crown, either as immediate or as arrière fiefs. Many bishops, abbots, and other dignitaries held their endowments as vassals of feudal lords, and most of them bore the relation of lords to vassals of their own.

From this intimate connection of the churchmen with the feudal tenures of that age, resulted many restraints upon her freedom of action. First, as a relief was due to the seigneur on the accession of a new tenant to every *lay* fief, so, on the election of every bishop or other ecclesiastical feudatory, the seigneur was entitled to a corresponding payment, which was called a régale. Secondly, as often as an ecclesiastical corporation, sole or aggregate, acquired any lands in perpetuity, the lord was prejudiced by the loss of those payments, which, if the land had remained in the possession of lay men, would

have accrued to him on the deaths or alienations of the tenants. For this loss he was entitled to a compensation, which was called the Droit d'Amortissement. Thirdly, the freedom of canonical elections was not a little restrained by what were called "recommendations;" that is, suggestions addressed by the seigneur suzerain to his ecclesiastical vassals, of the names of persons whom he wished to have preferred to vacant benefices. Fourthly, in some cases this seignorial patronage was openly asserted by the lord, and admitted by his clerical vassals, as an absolute right; as when an abbey, or prebend, or chapelry had been founded, and endowed by the lord or by his ancestor. But, fifthly, it was chiefly in their character of protectors of the Church that the feudal seigneurs subjected it to a vexatious and oppressive control; for, as no churchman might either make war, or administer justice in capital cases in his own person, these indispensable offices were performed on his behalf, either by the suzerain of his fief, who was then called his Avoué, or by some powerful chief in the neighborhood of his church or abbey, who was then called its Vidame. For this service the Avoué or Vidame sometimes extorted a recompense in the form of a territorial cession, and sometimes he inflicted on his clients wrongs as grievous as those which he had undertaken to avert.

But from these burdens the Church was at length emancipated, if indeed that term can with any propriety be applied to the forcible substitution of the royal for the feudal tyranny. It was a gradual and a tardy change, of which the foundations were first laid by Philippe Auguste. From all churchmen holding fiefs, or (as I understand the case) arrière fiefs, on military tenures, he exacted a pecuniary composition for those services in the field which they were unable to render in person. His successors gradually substituted the crown as the universal protector of churches and monasteries, in lieu of the avoués and vidames who had formerly sustained that office. From that usurpation the elastic logic of arbitrary power drew many momentous inferences. First, it was held that the price of the protection received by these ecclesiastical bodies was due to him who actually rendered it, and to him alone. Consequently, the tribute which, under the name of *mundium*, had been formerly paid to the seignorial avoués and vidames, was

lost to the seigneurs and acquired by the king. Next, it was inferred that the *régale*, or relief exigible on the election of every bishop or abbot, was payable, not to the immediate lord, but to the royal protector of the episcopal or abbatial fief. Then the *droit d'amortissement* followed the new destination of the mundum and the régale. And, finally, this series of encroachments was completed by Louis XI., who transferred from the courts of his feudatories to his own royal courts the cognizance of all questions relating to the patronage of ecclesiastical benefices. Thus, step by step, the Gallican Church had, at the end of the fifteenth century, been extricated from her former dependence on the Feudal Hierarchy.

But the Popes had not been indifferent or inactive witnesses of these innovations. The genius of Hildebrand, the perseverance of his early successors, and the energy of Innocent III., were unintermittingly exerted to render Rome the seat and centre of a dominion more extensive and formidable than the empire which Julius had established, or than that which Trajan had administered. It was the object of their meditations by day, and of their visions by night, to destroy the freedom of canonical elections, to transfer to the Holy See the patronage of all the benefices of Christendom, and to centralize at the Vatican the judicial and financial administration of the whole ecclesiastical commonwealth. In this great enterprise, the Papal monarchy triumphed for a while over the French monarchy, as the French monarchs had before triumphed over the Feudal oligarchy. The Gallican Church became, though for a short season, subject to the almost absolute sway of the Church of Rome. And yet the fruits of the conquest were not eventually to be gathered in by the conquerors. The freedom (internal, judicial, and financial) of the Church of France was the prey of the Popes and of the French kings in turn; but the spoil remained at last in the grasp, not of the pontifical, but of the royal invader. The history of those revolutions may be traced in the collection of the ordinances promulgated under the Capetian dynasty. The time at my disposal will not allow me to advert to them, except so far as may be necessary to show how the kings of France encroached, first, on the internal independence; secondly, on the judicial franchises; and thirdly, on the financial liberties of the Gallican Church.

First, therefore, I will attempt (however briefly) to indicate what were the encroachments of the French kings on the internal independence of the Church of France.

When Bossuet proposed, and the French clergy adopted the declaration that the Pope had no authority, direct or indirect, in temporal matters, they seemed to be laying down a rule; but they were, in fact, only raising the question, which is suggested by every enactment of those ordinances on ecclesiastical subjects, What is the distinction between things temporal and things spiritual? It is a distinction which can never be accurately drawn in words, for the simple reason that it has no such accurate existence in fact. No human interest is exclusively temporal, and none is exclusively spiritual. The holy and the profane states have many provinces in common, and have no provinces which are not intermixed or conterminous. What the Author of our existence has thus joined together, man can not put asunder. In simple times and remote ages, he did not even make the attempt. The priestly and the kingly office were then the same. The Imperator was also the Pontifex Maximus. In teaching that the Church and the State are properly convertible terms, Mr. Coleridge and Dr. Arnold announced no new discovery, but merely recorded or revived an ancient tradition.

In the Christian world, however, the administration of the Ecclesiastical and the Civil governments ever has been, and must ever remain, in different hands; and each of those two powers has ever exhibited, and will, perhaps, never cease to exhibit, the propensity to enlarge, at the expense of the other, the indefinite limits of its own appropriate dominion. And thus the history of France is a record of the efforts made, not less by the worthiest than by the least worthy of her kings, to substitute the royal will for the internal freedom which belonged to the Church of their realms, as a part of her ancient and sacred inheritance.

Of all those princes, St. Louis was the most upright and sincere. But if he had been the most crafty, he would scarcely have expunged a word from his Pragmatic Sanction. It declared the right of every chapter, cathedral or abbatial, freely to elect its own head and dignitaries, and the right of each patron freely to collate to his own benefices. Nothing could

be more just and liberal; nothing could more directly oppose the pretensions of the court of Rome; but nothing, it must be added, could more effectually countenance the royal claims of the pious legislator himself. Thenceforward, indeed, no papal missives could direct how a vacant see or abbey should be filled. But the seigneur's right or habit of addressing to a chapter recommendations of some favored candidate survived the Pragmatic Sanction of St. Louis. Now such was, at that time, the number of the seigneuries absorbed in the royal domain, and such was the increase of the royal authority over the seigneurs whose fiefs lay beyond it, that the edict which, in appearance, restored the seignorial influence in elections and collations, did in reality but enlarge the influence over them of the royal legislator himself.

After the death of St. Louis arrived those periods in which the judicial blindness of the successors of St. Peter prepared the way for the great Reformation. That worldly wisdom, of which they so justly boast, never failed them more than when they transferred the apostolic chair from Rome to Avignon. During their long exile from the banks of the Tiber to those of the Rhone, the Popes yielded to the French kings a submission almost as absolute as that which is rendered to the Turkish emperor by the Patriarch of Constantinople. In that period the captive pontiffs were sometimes overawed and sometimes seduced into recognizing the royal right of presentation to almost all the benefices of France not belonging to private patrons.

The same papal infatuation next exhibited itself in the great Schism. At that time, and by a skillful use of the authority which that schism conferred on them, the French monarchs made other conquests over the enfeebled Papacy. Then it was that the Popes admitted the right of the secular courts to adjudicate on questions relating to benefices and capitular elections; and then, also, was obtained by the kings of France the yet more important advantage of being left in the exclusive possession of the right, or, at least, of the power to convoke synods of the national clergy. It is difficult or impossible to say when that right was first asserted by them, but it is well ascertained that, from the time of the great Schism, they invariably and successfully maintained it.

The next great occurrences in the history of the Church of Rome are the Councils of Constance and of Basle. Under the shelter of their Cis-Alpine decrees, and under the guidance of John Gerson, whom most of the fathers at Constance had revered as their leader, Charles VII. promulgated the Pragmatic Sanction of Bourges. It provided for the freedom of canonical elections; that is, for their freedom, not from royal, but from papal interference. It forbade the acceptance of any bulls on that subject, or on the subject of the collation to benefices. It excluded all aliens from ecclesiastical preferments in France; and it authorized an appeal from any future decisions of the court of Rome to the next œcumenical council.

To these provisions of the edict of Charles VII. was given the much boasted, though very equivocal title of the liberties of the Gallican Church. But to the son and successor of Charles no liberties were welcome, nor any advantages of much account, unless they were acquired by guile, and supported by the mysterious policy in which he delighted and excelled.

Louis XI., therefore, revoked the Pragmatic Sanction of Bourges, and seemed, at least, to abandon every position which had been taken by his father against the encroachments of the Roman pontiffs. And yet, in reality, he stipulated for, and obtained the enjoyment of powers hardly less extensive than those which he so renounced. No ingenuity will now, perhaps, be sufficient to unravel the intricate web of his negotiations on this subject. The most probable explanation of them is, that Louis acted in this, as on most other affairs, under the guidance of his two master passions—his superstitious dread of the powers of the world to come, and his insatiable thirst for aggrandizement in this world of shadows. At once to propitiate and to outwit the bearer of the keys of Paradise was precisely the kind of success which would have been most grateful to that astute and circuitous understanding.

Be this as it may, his two immediate successors seem to have labored, long and fruitlessly, to discover what were the rights and what were the powers which he had transmitted to them for the internal government of the Church of France. In the reign of Francis I., however, every such doubt was effectually dispelled. His concordat with Leo X. was nothing less than the immolation of the liberties of the Gallican

Church to the interests of her temporal and spiritual sovereigns. On the one hand, the kings of France, since the councils of Constance and of Basle, had maintained the superiority of such councils to the Pope, and had asserted their own right to demand periodical convocations of them. These claims Francis abandoned to Leo. On the other hand, the Popes had perseveringly asserted, at least in words, an indefeasible right to nominate bishops to every vacant see, and to appoint to every other ecclesiastical dignity. This right Leo abandoned to Francis, reserving to the court of Rome nothing more than a formal and ineffectual veto on the royal nominations. From that time forward the superior clergy of France, ceasing to be either elective, or feudal, or pontifical, became exclusively monarchical. To the present hour the concordat of Francis I. continues to form the basis of the relations between the Papacy and the French government. The heads of that government, whether royal, imperial, or republican, have ever since bestowed on their friends those sacred offices which, under the two first dynasties, and under the early Capetian princes, were the rewards of a real or a supposed pre-eminence in piety and learning.

We may, I think, condemn without reserve the selfish policy which thus despoiled the Gallican Church of her freedom of holding national synods, of electing ecclesiastical dignitaries, and of collating to vacant benefices. But the farther encroachments on her liberties admit of much more apology, if not, indeed, of a conclusive defense. The most considerable of them is that great innovation which interposed the crown as the necessary channel of intercourse between the Pope and the whole ecclesiastical body of France. When Boniface VIII. promulgated a bull requiring the attendance of the French prelates at Rome, Philippe le Bel answered by an edict forbidding them to go beyond the limits of his own dominions. From that time it became, first, a favorite opinion, and afterward an absolute and fundamental maxim of the French jurists, that no pontifical bull or brief, or other mandate, was binding on any Frenchman unless it had been, nor until it had been, expressly ratified by the King of France. Among the many proofs which the collection of royal edicts might supply of the general acceptance of this doctrine, I confine myself to

those which were enacted by the evasive and superstitious Louis XI. Subservient as he was to the Papal court, he yet appointed a commissioner to ascertain, by the inspection of all documents which might be received from Rome in the diocese of Amiens, whether they were, in any respect, repugnant to the laws of the realm. He forbade any papal legate to exercise within the kingdom any powers to which his own sanction had not been first given. And he proclaimed the actual nullity within France of every adjudication of the court of Rome, even on subjects within their admitted competency, unless such judgments had been inspected by himself, and confirmed by his own authority. At a later period, when Julius II. made his extravagant declaration of war against Louis XII., and enlisted the whole clergy of France in the cause and quarrel of their temporal sovereign, this principle of law grew into a popular passion. Such, indeed, was the strength of that passion, that Francis I., heedless as he was of the ecclesiastical rights of his people, found it necessary to stipulate, in his concordat with Leo, for the continuance of this royal veto on the enforcement of any papal bull or brief within his dominions.

Most Protestants will applaud, and but few Roman Catholics will strongly condemn, this interposition of the crown between the Papacy and the National Church of France. Yet it was an infringement of her internal liberties which could be justified only by the preceding unjustifiable invasions of them. Had she been permitted to retain her ancient rights of episcopal elections, and of convoking independent synods, she would have had the means, and would scarcely have wanted the will, to oppose to every usurping rescript from Rome a resistance quite as effectual as that of the royal veto, and far more constitutional. The kings of France, having despoiled the Gallican Church of her powers of self-defense, found in her defenseless state the apology for intercepting her intercourse with the pontiff whom they, as well as she, acknowledged to be her spiritual head on earth. The one anomaly begat the other; but injustice does not cease to be injustice because a preceding wrong has rendered it convenient or inevitable. When reduced to the dilemma of an absolute servitude to her ecclesiastical monarch, or of an increased servitude to her temporal monarch, the Gallican Church wisely preferred or acquiesced in the lat-

ter as the lighter evil of the two. But to have reduced her to that dilemma, or to have retained her in it, was not, on that account, the less an unrighteous usurpation.

Such having been the encroachments made by the kings of France on the *internal* independence of the Gallican Church, I pass, secondly, to the consideration of the encroachments which they made on her *judicial* franchises.

The jurisdiction of the French ecclesiastical courts was originally of great extent. In addition to the powers which I have already mentioned, they had cognizance of almost all cases under the plea of what was called connexité; that is, if a suitor complained, not only that his rights were infringed, but that, in the infringement of them, his adversary had been guilty of *sin*, the spiritual tribunal became entitled, by reason of that alleged connection of the violation of the divine and of the human law, to entertain the suit; for Innocent III. had taught that, as the guardian of the law of God, the Church might require every one who had offended against it to answer at her bar for his transgression.

This subtlety would probably have availed little, or not at all, if the ecclesiastical tribunals had not, in those times, excelled all others in the simplicity of their procedure, in the equity of their laws, and in the wisdom and impartiality of their judges. In the twelfth century, and at the commencement of the thirteenth, they therefore enjoyed the utmost popular favor, and continually enlarged the sphere of their jurisdiction.

But (as I have already observed) the judgments of the ecclesiastical courts, when affecting the persons or property of the suitors, were referred to the secular arm for execution. The Church had none but spiritual weapons in her own arsenal. She could excommunicate, or withhold the sacraments, or refuse absolution, but she could neither fine, imprison, torture, or kill, *proprio vigore*. When she denounced such penalties, she was dependent on the temporal power for the enforcement of them.

But, in denouncing such penalties, the Church transgressed the limits of her own high and holy office, and of that transgression she received the appropriate recompense. When some of the bishops of St. Louis applied to him to carry into effect

punishments which they had denounced against certain wrong-doers, his wise and equitable answer was, that he could not confirm any sentence, and so make himself responsible for it, until he had first satisfied himself of its justice. Thus, by invoking the aid of the arm of flesh, the spiritual courts afforded to the royal judges not merely a pretext, but a justification, for reviewing their decisions in spiritual matters. By encroaching on the province of the secular tribunals, they enabled those tribunals to make an irresistible encroachment upon their own appropriate sphere of action.

In the following century, the right of the prévôts and baillis of France to correct or reverse the sentences of the bishops or their vicars was much agitated; and, to resolve it, Philippe de Valois convened a mixed assembly of municipal lawyers and of canonists. They decided that the king's judges had no right to entertain an appeal from any sentence of an ecclesiastical court, but that, if any such court should abuse the powers with which it was invested, or usurp powers not properly belonging to it, those judges might prevent or correct any such abuse. In technical language, they declared that the prévôts and baillis were competent to receive *les appels comme d'abus*. In fact, they laid down a rule exactly corresponding with that which is at this day observed in Westminster Hall.

Thus the episcopal courts ceased to be sovereign, that is, to be exempt from the supervision or control of any other tribunal. But a more serious loss of power awaited them. When the royal judges introduced into their courts the reforms to which I adverted in a former lecture, the ecclesiastical courts fell into comparative disesteem. In France, as in England, the conflict of jurisdictions between the two was active, and even violent; but there, as here, popularity and success attended on the secular judges. In the fourteenth century, the sages of the French law exhausted much of their time and learning in the attempt to define the limits between the respective provinces of the royal and episcopal tribunals. There is said to be a book, called Le Songe du Verger, held in high esteem by the curious in bibliography, in which a clergyman and a knight are made to debate that arduous problem in the presence of Charles V. But the debate must have been either imaginary or ineffectual, for it was not until the year 1539

that any positive law was made for the determination of it. An ordinance of that year confined the competence of the spiritual judges to questions exclusively spiritual, and to cases in which personal actions might be brought against clerks in holy orders.

The result of a comparison of the judicial liberties of the Church of France as they existed in the twelfth and in the sixteenth centuries will, therefore, be to show that, during that interval, they had declined to such an extent as very greatly to impair the ancient influence and authority of the Church in temporal matters. Even admitting the consequence to have been unfortunate, the means by which it was accomplished were, I think, evidently wise and justifiable.

It remains, thirdly, to inquire, in what manner the *financial* liberties of the Gallican Church were, during the same period, invaded by the royal power; and the result of that inquiry will be to show that, in this respect also, her losses, though veiled under certain decorous forms and apologies, were very considerable in substance.

Ecclesiastical persons and property in France were originally exempt from all imposts, and therefore they promised to the Popes, in the commencement of the thirteenth century, a rich pecuniary harvest. For that purpose, the fiscal sickle was employed by the court of Rome with the most assiduous diligence. Alarmed by the demands of their spiritual sovereign, the French clergy invoked the protection of their temporal monarch, Louis IX.; and, in compliance with their entreaties, he forbade, by his Pragmatic Sanction of 1268, the transmission of any money to Rome without his own express authority. The papal extortions were for the moment repelled, but the Church was then summoned to the more arduous task of protecting herself against her royal protectors. Though she had no longer to pay Peter's pence to the pontifical treasury, she was required to furnish subsidies to the Capetian exchequer.

The Pope now, in his turn, assumed the office of guardian of the ecclesiastical possessions, but with comparative ill success. When, for example, Philippe le Bel called on the clergy for money, Boniface VIII. forbade their compliance. But Boniface was not a Hildebrand. Philippe compelled him to retract his prohibition, or, rather, to disavow the plain

and unequivocal meaning of the words in which he had announced it.

Thus the temporalities, of which the clergy were the indisputable proprietors, became the prize for which their spiritual and their secular monarchs contended with each other. But in that contest the Church found her best security. So long as the two potentates continued to regard each other as hostile competitors for her wealth, the one or the other of them was always on her side. Her real and most urgent danger was in their reconcilement. She had nothing so much to dread as their friendly compromise, at her expense, of their rival pretensions.

Such a compromise was, in fact, accomplished when the apostolic chair was transferred to Avignon. Then the dependent Popes acquiesced in the usurpation by the crown of the patronage of all the sees and sacerdotal dignities of France; and then the complaisant kings consented that the Pope should raise what money he needed from the inferior clergy, and especially that he should receive the annates, or revenues of all benefices during the first year after each vacancy of any of them.

These mutual concessions, prompted as they were by transient motives, were themselves of short and uncertain continuance. They formed the subject of ardent controversy during many generations, until they were at length, in substance, ratified and rendered permanent by the concordat between Francis and Leo.

But, during that controversy, the royal demands on the revenues of the Church were never intermitted. Emboldened by the feebleness of the papacy during the great Schism, the French kings endeavored to bring the clerical order under the same laws of taxation as at that time applied exclusively to the Tiers Etât, or Roturiers. The resistance of the clergy was resolute and effectual, for they were zealously supported in it by the Parliament of Paris. Charles VIII. withdrew from the struggle with so formidable an alliance; and from his reign may be dated the final recognition, as a fundamental law of the realm, of the doctrine that no imposts could be levied upon the Church without the free consent of the ecclesiastical order, lawfully given in a free assembly.

That consent was, however, but seldom refused; nor, indeed, would such a refusal have been either just or prudent, for the wealth of the clergy was enormous. Such estimates of it as were commonly made and accepted before the accession of the house of Bourbon, were too vague, and too obviously partial, to merit any serious notice. But in the year 1639, an ecclesiastical synod adopted and sanctioned a report on the subject, called "L'Etât abrégé de l'Eglise de France," which represented the *gross* annual revenue of all the sees, parish churches, abbeys, convents, monasteries, commanderies, and chapels in France as amounting to 103,500,000 crowns, and the *net* annual revenue as amounting to 92,000,000. Great as is the authority for these figures, I confess that it is not without some incredulity that I have transcribed them; for, after making a fair allowance for the different effective power of money now and then, it is as if the Church of France in our own days possessed an independent annual income of between ten and twelve millions of pounds sterling.

Doubtless, however, her endowments in the age of Louis XIV. were exceedingly great, and would have been fatal to her but for three principal reasons. First, though not an enlightened, Louis was a very zealous son of the Church, and abhorred any sacrilegious confiscation of her property. Secondly, against any such confiscations she was then defended by her diocesan, provincial, and national synods. In each diocese the clergy elected deputies, who met at the metropolis of each province, and then nominated members of a general assembly. These convocations, it is true, were all convened by the king, and royal commissioners represented him at the national synod. But it was a free and full representation of the sacerdotal order, and enjoyed authority and influence enough to insure the respect of the other orders in the state. And, thirdly, the dangers of plethoric wealth were averted from the Church of France by the wise liberality with which she was accustomed to contribute to the exigencies of the commonwealth. The crown had long attempted to participate in the ecclesiastical treasure by the coarse and ready methods to which arbitrary power in distress so habitually resorts. At one time the régale had been extorted from all the churches of France indiscriminately. At another, royal officers had been employed to

administer the revenues of vacant benefices. Then the parochial vestries were required to submit their accounts to auditors appointed by the king. And when such means of exaction proved ineffectual, recourse was had to the terror of those doctrines on the subject of church property which the Reformers had so often advocated; so that even L'Hôpital himself lent the sanction of his name to the opinion that the clergy were the mere trustees, and the state itself the true proprietor of such endowments. But to such demands and such menaces the sacerdotal order opposed sometimes well-timed remonstrances, and sometimes judicious concessions. They controlled the despotic genius of Richelieu, and overawed the rapacity of Fouquet, when each of these financiers, in his turn, meditated a tax which would have deprived them of the whole of their emoluments during one of every four successive years. But, on the other hand, they repeatedly advanced large sums, either on the security of the royal revenue, or for the exoneration of particular branches of it from debt to other creditors. In the reign of Louis XIV. they consented to pay, for the support of his government, the ordinary décimes, that is, a tenth of the annual income of each benefice; and, in great public exigencies, they added to that heavy income tax what were called the extraordinary décimes, that is, an occasional increase of the rate of it.

The Church of France has seldom, if ever, received a due acknowledgment of the wisdom and patriotism which thus distinguished her financial relations to the crown. In the midst of the pecuniary distresses of Louis XIV., she had the sagacity to teach, as he had the prudence to learn, that in her loyal attachment he had a resource more abundant, as well as more secure, than he could have found in the lawless spoliation of her wealth. Between her and him there therefore grew up a tacit compact, that, on the one hand, she should be free to retain and manage her possessions, but that, on the other hand, she should relieve, with no niggard hand, the ever-recurring wants of his treasury. It was a compact indefinite, indeed, and much liable on his side to abuse; but it was not, in fact, very grossly abused. The Gallican Church in his age was (it is true) compelled to contribute to the support of many costly wars, of much improvidence, and of not a little profligacy and

corruption, but, by wise firmness and wise forbearance, she still found herself in possession of a financial freedom unknown to any other body in the state, until the bursting of that great tempest which, on the close of the eighteenth century, prostrated all the powers and all the institutions of France.

The preceding details, wearisome as they may have appeared, have seemed to me essential to the intelligible statement of the answer which it remains for me to return to the question with which I commenced the present lecture—the question, namely, Why the influence of the Privileged Orders of France, Noble and Sacerdotal, was ineffectual to prevent the usurpation by the monarchs of that kingdom of an absolute and unlimited power? My answer to that question, then, is,

First. That the original peers of France were inadequate to that great constitutional office, because they were not the aristocratic subjects of the king, so much as independent and rival princes. Their power excited his fears, and their dominions excited his cupidity. They were successively his allies, his enemies, and his victims. But they were too great to act either as the subordinate partners and props of his lawful authority, or as the legitimate checks on the unlawful abuse of it.

Secondly. Neither the peers of France (after the conquests of Philippe Auguste), nor the other seigneurs, ever enjoyed, in the kingdom at large, an authority, legislative, executive, or judicial, co-ordinate with that of the king. As I had occasion to show in a former lecture, the royal judges and the Parliament of Paris assumed the whole *judicial* power which, before the accession of St. Louis, had belonged to the noblesse. The king became sole *legislator*, subject to an imperfect veto by the Parliament; and the administration of the *executive* government was conducted by the crown through the agency of its subordinate officers. Therefore the nobles had never in their hands, at any later period, any one of those three weapons by which alone the royal prerogatives can be peacefully and effectually controlled.

Thirdly. In the States-General, the seigneurs appeared only as the elected deputies of their order. They did not sit there proprio jure; and I shall hereafter have occasion to explain why the deputies, who from time to time were convened

to the states, failed to acquire the power which properly belongs in all free governments to the national representatives.

Fourthly. The peerage and the nobility of France were rendered impotent to all purposes of constitutional government, by the mercenary and extravagant multiplication of their number, by the descent of the privileges of every noble to all his sons and more remote male descendants, and by the consequent poverty and dependence of the great majority of their order. Their force was thus diluted until it had almost ceased to be felt at all.

Fifthly. The exclusive and most invidious privileges of the nobles greatly impaired their political influence. They were elevated too far above the level of the people at large to admit of any fellowship or reciprocal attachment between them. The aristocratic order never enjoyed the weight which results from its intimate union with the plebeian.

Sixthly. There was a similar want of union between the noble and the sacerdotal orders. They were not separate members of the same body, but separate and often antagonistic bodies. Though not infrequently combining their forces in the States-General, it was a combination which usually had in view rather a triumph over the Tiers Etât than the accomplishment of any objects in which the Three Estates had a common interest against the crown.

Seventhly. The transfer to the crown of the patronage of all sees and other ecclesiastical dignities had a fatal tendency to impair the independence of the clergy. It filled their ranks with mercenary candidates and necessitous suitors for the royal favor.

Eighthly. The use which the kings of France made of that patronage might seem to have been dictated by the desire to emancipate themselves from the salutary control under which they would have been holden by a more independent clergy. The bishoprics became little better than endowments for the younger branches of noble families. The abbeys were made so many apanages for lords and ladies of broken fortunes. The great abbey of Fontevrauld, for example, was governed during several centuries by an almost unbroken succession of abbesses of the blood royal.

Ninthly. The enormous inequality of rank and wealth be-

tween the superior and inferior clergy of France, was another enervating effect of the possession and abuse by the crown of the patronage of the higher dignities of the Church. It induced a real, though unavowed, separation of the clerical order into two sections; the first partaking in all the interests and prejudices of the Noblesse, the second attaching itself to all the schemes and passions of the Roturiers, but each incapable of a hearty co-operation with the other against monarchical encroachments.

Tenthly. The so-called liberties of the Gallican Church reduced her from the rank of a constitutional guardian of the rights of the people to the rank of a submissive dependent upon the pleasure of the crown; for the real effect of those boasted liberties was merely to interpose a secular power between the Church of France and her spiritual sovereign. Lamentable as may have been, in other times and countries, the abuse of the Papal supremacy, yet the Pope's free exercise of that supremacy is essential to the political authority and to the political influence of any Church in communion with Rome, unless, indeed, she possesses and exercises an independent right of self-government.

Eleventhly. When the Gallican Church lost that self-government—that is, her right of freely convoking national synods, and of freely deliberating and voting in them—she had no longer the means of exerting the legitimate influence of the ecclesiastical upon the political government. Her diocesan, provincial, and general convocations, though a pretended, were not an effectual substitution for the loss. If in those assemblies any voices had been raised in opposition to the royal will, they would immediately have been silenced by the royal commissioners.

Twelfthly. The loss of the invidious liberties, judicial and financial, of the Gallican Church, might, perhaps, have been a source, not of weakness, but of strength, if she had been permitted to retain her internal liberties, that is, her right of self-government in what related to synods, canonical elections, and free intercourse with the papal court. But as the loss of those liberties brought her in bondage to the king, so the simultaneous loss of her financial and judicial franchises, by bringing her into subjection to the Parliament, eventually rendered

more effective and irresistible her bondage to the arbitrary powers of the sovereign.

Other explanations might be given of the incompetency of the privileged orders of France to arrest the growth of the royal despotism. What I have already offered may be sufficient, if not fully to explain, at least to suggest the explanation of the causes why they were so long the passive spectators or the active promoters of a usurpation of which they were destined at length to be themselves the victims.

Dec. 16. 1852.

LECTURE X.

ON THE STATES-GENERAL OF THE FOURTEENTH CENTURY.

In my last two lectures I endeavored to explain, first, how the Judicial institutions of France contributed at once to subvert the Feudal Confederation, and to promote the growth of the absolute Monarchy in that country; and, secondly, why the Privileged Orders, Noble and Sacerdotal, failed to arrest the advance of that Monarchy toward despotic power. I now proceed (as far as the time at my disposal may admit) to resolve the corresponding questions with reference to the States-General.

In entering upon that inquiry, it is necessary that I should begin by stating (though the statement must be far more brief and imperfect than the importance of the subject may seem to demand) what was the legitimate composition of those bodies, what their methods of procedure, and what the constitutional limits of their authority.

It is an obscure and an intricate inquiry. When it was proposed by Louis XVI. to the Notables of 1787, they were able to answer him only by a long antiquarian controversy; and such was the prevailing ignorance on the subject, that (as we learn from Dumont) an English lawyer (the late Sir Samuel Romilly) was detained on his journey through one of the cities of France to extemporize for the perplexed citizens a mode of procedure for conducting the election of their deputies to the States-General of Versailles. Yet, in the midst of this

darkness, we may distinguish some few salient points on which history has cast a clear and a steady light.

First, then, it is evident that the States-General could not lawfully meet except in pursuance of citations issued by the sovereign himself. Next, it is well established that each of the three estates (the Clergy, the Nobles, and the Commons) were to be so cited. In the feudal age (as we formerly saw) the king had been accustomed to summon to his Parliament all his tenants in capite, lay and ecclesiastical, holding seigneuries within the limits of the royal domain. He had also occasionally added to them all the greater feudatories of the crown, holding fiefs beyond those limits. Now, when the feudal Parliaments gave place to the States-General, the same practice was observed, but with the two following differences: first, that the lay tenants in capite were commanded by the king to bring with them to the States-General such other seigneurs as might be chosen to represent the seignorial or noble tenants of their respective bailliages; and, secondly, that the great episcopal or abbatial feudatories were commanded by the king to bring with them to the States-General such other ecclesiastics as might be chosen to represent the clergy of the principal churches or abbeys within their several jurisdictions.

But, in order to complete the assembly, the king also summoned a body of persons whose appearance is scarcely, if at all, to be traced in the feudal Parliaments. These were the representatives of the Commons. For this purpose royal writs were addressed to the various baillis or seneschals of France, commanding them to convoke the free male inhabitants of the villages, towns, and cities comprised in their several bailliages, or sénéchaussées, for the election of deputies to represent them in the approaching States of the realm. The inhabitants of the rural districts, called the plat pays, were not to be so summoned, because they were supposed to be adequately represented by their respective seigneurs.

In obedience to these various royal mandates, the nobles and the clergy met at the chief city of each bailliage, and there elected deputies to represent their respective orders. There, also, they drew up, or adopted, their mandates or instructions to their deputies, containing an enumeration of the

public grievances, of which (as members of the States-General) they were to demand the redress. To such instructions were given the name of *Cahiers*—that is, Codices.

The election of the deputies for the Tiers Etât was a more complicated procedure. At each village, the electors met on some Sunday after mass, and chose deputies, to whom were intrusted the Cahiers (or list of grievances) of the villagers. In the towns and cities also, cahiers were prepared, and deputies chosen; not indeed publicly, but at separate meetings of the incorporated trades or callings of which the commune or civic corporation was composed. The deputies so appointed in the various villages, towns, and cities then met together at the chief city of the bailliage, there to constitute a central assembly. The business of that assembly was, first, to elect deputies to represent, in the States-General, the Tiers Etât of the whole of that bailliage; and, secondly, to compile from all the separate cahiers one general cahier, in which were methodized and recapitulated all the grievances of all the Commons living within its limits.

If it be inquired who were qualified to elect, and who to be elected at those meetings, and by what number of deputies the Clergy, the Noblesse, or the Tiers Etât respectively of the several bailliages were to be represented, I can only answer that those are questions on which the Notables, in the time of Louis XVI., were unable to form any clear opinion, and which have not, I think, been satisfactorily elucidated in later times.

The States-General were thus composed of the deputies of the three estates of the realm, but not of them exclusively. The princes of the blood royal, the peers of France, the chamberlain, and other high feudal officers of the crown, and the knights of the different orders of chivalry, also sat there. But they held those seats in virtue of their rank or offices, and acted rather as spectators or as ornaments in that splendid pageant than in any more important character. The chief ministers of the crown also took their places in the States-General, where they were regarded as the legitimate channels of communication with the king, and as the advocates and interpreters of the royal proposals or demands.

In the States-General of France, as in the Parliament of

England, the spiritual had precedence over the temporal lords; but between the two first orders and the third the gulf was immeasurable. Of this the established ceremonial was at once the best proof and the clearest illustration. In their joint assemblies, the Clergy and Nobles sat covered; the Commons bareheaded. When addressing the king, the orator of the two first estates stood up, but the orator of the Tiers Etât knelt down. The consciousness of a real, though unavowed superiority of power may perhaps, however, in France in old times, as in England in our own times, have given a kind of zest to the endurance of these innoxious indignities; for, from age to age, the representation of the Commons became less and less in fact what it was in theory, that is, an assemblage of mere roturiers, possessing no definite rights or well-ascertained privileges. Officers of state, magistrates, lawyers, merchants, and men of letters, eagerly sought the office of deputies in this great national assembly; and the boast now so common among ourselves was anticipated by the Chancellor l'Hôpital when he reminded the Tiers Etât, in the States-General of Francis II., that none of the gates of honor was closed to their ambition.

The same sentiment, or rather the same fact, was announced, at nearly the same time, by a noble French author, though in a very different spirit. "Go," he exclaims, "into the Parliament, and you will find there scarcely any one but roturiers, who have purchased for themselves seats on the fleurs de lys. Go into the churches, and you will behold the most brilliant mitres resting on heads which came into the world to bear the yoke of slavery. Go into the royal palace, and you will see it filled by swollen pumpkins; by men whose fathers were tallow-chandlers, cooks, and tailors, but whose audacity has raised them from the dust to the highest places, at the very fountain of honor. Go into society, and you will mistake the gentlemen for roturiers, and the roturiers for gentlemen; for now, when every one is permitted to wear whatever dress his purse can afford or his vanity may prefer, lace, silk, and scarlet have ceased to be any certain badge of noble birth."

The deputies of the Tiers Etât seem to have been, not the wealthiest only, but the most numerous also, of the three orders in the States-General, although they were usually out-

numbered by the two first orders united. When Louis XVI. authorized the Tiers Etât to send to the States-General of 1789 twice as many deputies as the clergy and the nobility together, he was, therefore, the author, not only of a fatal measure, but of an entire innovation also.

When the deputies of the three estates had assembled at the appointed place of meeting, each estate chose its own president, registrar, and secretaries; and, at the conclusion of this and some other preliminary forms, a royal herald proclaimed the approach of the king. He came, surrounded by the princes and dignitaries of his court, himself unarmed, and unguarded by any armed force; and then took his seat on his throne; before, but below which were drawn up, according to their rank, the representatives of the three orders of his people. His address to them was usually comprised in a few brief words of princely greeting; after which the chancellor explained the causes of their meeting in an oration in which (after the fashion of those times) homily, eulogy, and pedantry contended with each other for the mastery; though, in the midst of his dark speeches, the learned rhetorician never forgot to describe the wants of the treasury, or to invoke the aid of the representatives of France to replenish it. To this address the speaker of each estate made answer in his turn; and when eloquence was exhausted, the chancellor directed the States to prepare, for the consideration of the king, a statement of all the grievances of which they sought the redress, bidding them not to doubt that their demands would be very graciously accepted.

At the close of these inaugural ceremonies, the deputies of each estate divided themselves into twelve sections or committees, that number corresponding with the number of the twelve greater governments of France. The cahiers of all the bailliages comprised within any one of those governments were then referred to one of those committees, by whom they were fused or digested into a single cahier for the whole of that government. Each of the twelve committees then presented its cahier to the estate to which it belonged, and, by that estate, those twelve cahiers were again consolidated into one consecutive cahier. The final result of this complicated process was, therefore, to extract from the multitude of cahiers of the whole kingdom three general cahiers, each of which was to serve as

the exponent of the grievances and of the demands either of the Clergy, or of the Nobles, or of the Tiers Etât respectively. On all questions which arose in the preparation of these documents, the votes of the deputies of the States were taken both by the poll and by governments; that is, in each committee the members gave their individual votes; and by the majority of such suffrages was determined the vote of the government for which that committee acted.

Although, in thus representing the public grievances, each of the three estates often occupied much of the same ground, and were often substantially of the same mind, yet they did not usually act in concert. The cahier of each of the three estates was entirely distinct from those of the other two; nor were the three always presented to the king simultaneously.

When they had all been completed, and had all been delivered to him, the States were, both of right and in fact, dissolved. It was, however, usual for the king to pronounce a formal dissolution of them on such occasions, and they were then dismissed with a gracious promise from the throne that the sovereign would consider and give effect to their wishes.

Thus far all was preparatory. The States had projected, advised, and solicited reforms, but they had accomplished nothing. They retired to their homes, there to await, in impotent anxiety, the fulfillment or the breach of the solemn pledge of which alone their labors had been productive. That pledge, however, was seldom redeemed, either honestly or completely. Sometimes it was disregarded altogether; sometimes it was followed by the insertion of marginal notes on the cahiers, intimating, not the decisions, but the opinions or purposes of the king respecting the proposals contained in them; and sometimes he promulgated ordinances, not referring to the proceedings of the States, but as of his especial grace and mere motion to carry their proposals, or some of them, into execution. Without such ordinances, the cahiers alone had no legal efficacy whatever. They were petitions, not enactments; and even when they had at length ripened into positive edicts, it was usually found that, by the use of defective, evasive, or ambiguous terms, the royal legislator had defeated the very concessions which he affected to make. Thus "as ineffectual as a cahier" passed into a proverb; and each successive

States-General placed on the front of their catalogue of complaints the royal neglect of the complaints of their immediate predecessors.

I have sought in vain for any authentic account of the origin and growth of the complex rules by which the election of the deputies and the deliberation of the States-General were thus regulated. But there is little risk of error in supposing that the forms in use in the ancient Greek and Roman cities of Narbonese Gaul for the election of civic officers were thence transferred to the French municipalities, and were borrowed from them by the bailliages on the election of deputies of the States-General; for the love of subtle and refined schemes of polity, and especially of municipal polity, was one of the many analogies between the Greek and the French character. As an example of the strength of that propensity in France, take the scheme according to which the mayor, aldermen (echévins), and auditors were chosen in the city of Péronne. First; each of the twelve guilds elected two delegates. Secondly; those twenty-four delegates nominated ten electors. Thirdly; those ten electors appointed other ten. Fourthly; the twenty, when so obtained, associated to themselves ten electors more. Fifthly; the thirty, when thus brought together, made choice of the mayor and aldermen. Sixthly; the mayor and aldermen then named six counselors, to whom the masters of the guilds added six more counselors of their own selection. And, seventhly, those twelve counselors united together to form a board of audit. A people thus ingenious in devising political mechanism may perhaps have regarded as bald and uninventive the system of two degrees of election for the deputies in the cities, towns, villages, and bailliages, and may not improbably have despised, as an excess of simplicity, the contrivances for compounding a single cahier of grievances by the decomposition and new arrangement of all the separate cahiers of all the various localities of the kingdom.

The common basis of all such refinements is suspicion. They all assume that, in the discharge of any office in the commonwealth, no man is to be trusted. They therefore mete out such power in the smallest possible measures and with the greatest possible jealousy. Thus, as we have seen, in old France, the elector might not directly vote for his own repre-

sentative, and the representative might not decide for himself on his own course of conduct.

Such elaborate devices are, however, rather cunning than wise. They can not extinguish the dangers against which they are aimed, though they may in some degree conceal, or partially mitigate them; for in every possible or conceivable adjustment of the political organization of a state, there will still lurk somewhere a despotism which, if wakened into activity, becomes absolute and uncontrollable, however much it may in ordinary times be kept out of sight, or remain habitually dormant. To treat all the depositaries of that formidable power as knaves or as fools is not the readiest way to avert such a catastrophe.

The builder of Eutopian visions or of real Polities will of course, if he be wise, take securities against man's abuse of his authority over his fellow-men. But he will not guard such abuses by exactly reversing the law of charity, and by requiring the citizens of his visionary or of his actual republic to be easily provoked, to think nothing but evil, to bear nothing, to believe nothing, to hope nothing, and to endure nothing. For men usually rise or fall to the level of their reputation; and if soldiers are brave, judges upright, and merchants honest, in proportion as such is the general expectation from them, so, and in the same proportion, are statesmen patriotic. Most men reach the point of honor in their several callings, and a generous confidence will ever be the surest excitement to the public spirit of those who are called to the most conspicuous public stations.

In the case of the States-General of France, suspicion fell into her common error of spinning her web too fine. The scheme combined, but could not neutralize or render inoccuous the two opposite errors of universal suffrage and of secret voting: the first depriving the primary elector of the sense of privilege, and of most of the consequent restraints of duty; the second withdrawing the ultimate elector from the keen but animating air and responsibilities of the Forum.

The division of the States-General into three different orders and as many chambers was fatal to their legitimate influence. When we met last, I attempted to investigate those causes which subjugated the Noblesse to the authority of the crown,

and those which preserved to the clergy a comparative independence. The two bodies, if united together into one great aristocratic chamber, might perhaps have interposed an effectual barrier between the king and the people for the conservation of the rights and the powers of both. But, in their separation, the nobles degenerated into servile partisans of the monarch, and the clergy exhibited the characteristic and invariable incapacity of men of that profession to act collectively in the affairs of nations with common temper or with common sense.

Neither was it reasonable to anticipate any effective national progress from the deliberations of bodies chosen for the express purpose of methodizing, and preferring, and seeking the redress of long catalogues of grievances, swept together from every city, town, and village of the kingdom. They who delegated and they who accepted such a trust, must, almost of necessity, have misunderstood both the disease with which they had to do, and the means by which it might be remedied. In any state where well-founded complaints of misrule are thus fertile and habitual, the true disease consists in the moral and intellectual debasement of the sufferers, and the true remedy consists in whatever tends to elevate their character, and so to render their good government practicable. No men, and no society of men, ever bemoaned themselves into self-respect or into the sympathy of others. The flatterers of Demos will always encourage his complaints, and conceal from him the unpalatable truth that, though his loud and persevering proclamation of his wrongs may justly inculpate his rulers, it is also an emphatic, though an unconscious proclamation of his own unworthiness.

The States-General of France were also destitute of that important element of success which consists in a firm alliance between the representative and the judicial institutions. Before the States-General were first convened under Philip le Bel, the courts of justice (as I showed in a former lecture) had become the mere creatures and ministers of the crown; and before these courts had attained to the independence which at length rendered them formidable to the crown itself, the States-General had ceased to meet. During their existence they were never able to rely on an upright and impartial ad-

ministration by the judges of any law which might be enacted at their own instance.

In the enactment of such laws they had, moreover, no actual suffrage. I formerly attempted to show how St. Louis assumed to himself the legislative power, and transmitted it to his successors. In the interval which elapsed between his death and the first meeting of the States-General, that encroachment had ripened into an undisputed prerogative, which those assemblies never failed to recognize in the most express and formal manner. That they should have yielded, without controversy, to a pretension so momentous, and yet so recent as this, may appear to us strange, if we read the history of other times and countries only by the lights of our own. But familiar as the disjunction of the legislative from the supreme executive function is to our thoughts and language, the world, in the time of Philip le Bel, had never seen a practical example and illustration of such a severance. Has, indeed, such an example been really ever seen even now? The Lords and Commons of England humbly petitioned the king (and often petitioned unsuccessfully) for the enactment of what they judged salutary laws, until at length their petitions having ripened into commands, they, in reality and in truth, dictated the administrative as well as the legislative acts of the crown, though always retaining the style and the posture of petitioners. The States-General adopted the same humble language, but (as we shall hereafter see) never attained the same commanding position. From the ninth Louis to the sixteenth Louis, the king was the real as well as the nominal law-giver of France.

Finally. The practice of resolving the Tiers Etât into committees for the separate discussion of all the cahiers of each of the governments represented by any such committee, survives in France, at the present day, in the corresponding practice of resolving the National Assembly into bureaux, for the preliminary discussion of all important questions. It is (as we may daily observe there) a wise arrangement for mitigating the violence of a republican democracy; but in the monarchical States-General, it impaired the healthful energy of the one democratic element of that body. The swell of popular feeling was broken alike by withdrawing the deputies, first from

the invigorating influence of public elections, and then from the sympathetic influence of public debate.

I do not pause to qualify the preceding statements by the many exceptions which would be requisite to their complete exactness. My time allows me only to exhibit the law, or constitutional theory, of the States-General, as it may be deduced from the general habits of the majority of the assemblies of that nature of which the records have been hitherto discovered and made public. I now propose to verify and illustrate what I have hitherto said respecting that law or theory, by inquiring into the proceedings of the most memorable of those conventions which were holden in the fourteenth century. The share taken by the States-General in the great constitutional struggle of that age will, therefore, be the subject of our consideration during the remainder of the present lecture.

I lately attempted to explain the manner in which the identity or union of the Royal Council and of the Parliament of Paris was virtually, though not formally dissolved, so that each of them thenceforward existed as a substantive and distinct body in the state. This tacit revolution had been nearly completed when Philip le Bel for the first time convened the States-General of France.

To resist the threatened invasion of the confederates of Cambray, Philip, with the consent of the Royal Council, imposed a tax on all his subjects, the ecclesiastics not excepted. To repel this encroachment on the temporalities of the Church, Boniface VIII. issued a bull forbidding the French clergy to pay the required contribution. Philip retaliated by an order forbidding them to pay the customary papal dues to Boniface himself. The Pope then summoned a synod, to advise him how he might most effectually resist this invasion of his pontifical rights; and Philip, in his turn, summoned the barons, clergy, and commons of his realm to elect deputies who should meet him at Paris, there to deliberate on the methods to be pursued for the successful conduct of his controversy with Rome.

To Philip himself, the importance of this great innovation was probably not perceptible. He, as we may well believe, regarded it only as a temporary device to meet a passing exigency. It was, in fact, one of those occasions in which man

gives proof rather of the sluggishness than of the promptitude of his insight into his own condition—of his slowness to perceive and to estimate correctly the resources within his reach, much more than of his sagacity in discovering and in employing them aright. The King of France aimed at nothing more than to baffle an imperious antagonist. Unconsciously to himself, he was laying the basis of a power destined for a while to balance, and at last to overthrow, the dominion of his successors; but a power which, if wisely used, might have proved the shelter and the safeguard both of his people and of his race.

In obedience to the citation of Philip, the States-General met at Paris on the 10th of April, 1301. When the deputies presented themselves in his presence, he called upon them to state of whom they held their seignorial fiefs and their ecclesiastical benefices. Their answer was returned by a loud and unanimous acclamation, the three orders with one voice declaring that they held them all of Philip himself and of his predecessors. To his inference that they were, therefore, all bound to support him against the pretensions of Boniface, they listened with diminished enthusiasm, and retired to prepare a more deliberate reply. It was at last returned by each of the three estates apart from the rest. The nobles pledged themselves to support the king in his quarrel with their persons and their property, and demanded that he should resist the injustice and the usurpations of Rome. The Commons implored him to maintain inviolate his sovereign rights, and to announce to the whole world that, in claiming a superiority over him in spiritual matters, Pope Boniface had fallen into manifest error, and had contracted the guilt of mortal sin. With ill-disguised reluctance, and not till after long delay, the clergy at length assented to the conclusion of the nobles. The session was then closed; when, strong in the suffrages of the representatives of his people, Philip promulgated a royal ordinance, forbidding the exportation of any money or merchandise from France to Rome.

In reliance on such of the modern French historians as have studied with the greatest diligence the ancient monuments of their native land, I hazard the statement that there is not to be found, in any writer of the age of Philip, any remark on the great constitutional innovation which had thus distinguished

1285—1314

the times in which they lived. If the fact be really so, this is but an example the more of the familiar truth, that political changes are seldom the result of any profound policy, but generally spring from impulses unheeded and misunderstood by those who act in obedience to them. If a Machiavelli or a Montesquieu had been living in France in those days, a solitary student of the shifting scene, with what inquisitive interest would he not have observed papal ambition contributing to plant in that country the most promising shoot of national liberty that had ever taken root there, and the people rising into importance from the struggle between their spiritual and temporal monarch as to the limits of their respective jurisdictions. It would have been a craven philosophy which, from such events, would not have exultingly inferred the progressive and the secure development of the democratic in union with the other elements of power in the commonwealth. We know, indeed, such hopes, if indulged, would have proved fallacious; but from such a fallacy the most profound thinkers of that period could hardly have been exempt. The next meeting of the States-General would probably have confirmed their error.

The gallant resistance of the Flemings to the treacheries and usurpations of Philip had enabled them, in the year 1304, to regain their national independence, and to effect the deliverance of the Count of Flanders and his family. Ten years later, the Parliament of Paris pronounced a sentence confiscating the dominions of the count for the benefit of the king, and annexing them to his crown. To obtain the funds necessary for carrying that sentence into effect, Philip, in August, 1314, again assembled the States-General at Paris, when Enguerrand de Marigny, his principal minister, having represented to them the urgent need of money for this purpose, Etienne Barbet, the mayor, as it would seem, or prévôt des marchands of Paris, pronounced a speech full of liberal promises; after which, says the record, the other Bourgeois, representing the Commons, joined in a loud and tumultuous promise of the same general nature. Regarding, or affecting to regard, these acclamations as a deliberate acquiescence in his demands, Philip proceeded to promulgate an ordinance imposing an *ad valorem* duty on the produce of the sales of all goods.

Bald and brief as this account of the States-General of 1314 may be, it is yet of great value, because it is the earliest recorded instance of the acknowledgment of the right of that body to authorize the imposition of taxes. The informality with which that high function was, on that occasion, exercised, is, perhaps, rather apparent than real; for there is great reason to doubt whether the States really intended to give, or really supposed themselves to be giving, their sanction for that imposition of the duties for which Philip found an apology in the speech of Barbet and in the shouts of his associates. It is at least certain that universal disquiet and insurrections, in almost all the provinces of France, followed immediately upon the promulgation of his ordinance, and that the year 1314 was still more remarkable for the revocation than for the imposition of fiscal laws. Philip left to his son, Louis X., the inheritance of these discontents.

The first year of the reign of Louis was signalized by the charters or concessions which he was compelled to make successively to the Normans, the Burgundians, the Picards, and the people of Languedoc and Champagne. Of those grants, the most celebrated and important is that of the 19th of May, 1315, called the Charte aux Normands. Although they differed materially from each other, these charters universally bound the king not to change the coinage, not to levy extraordinary tailles, and not to subject free men to torture, unless the presumption of a capital crime were of the highest nature; to which the remarkable addition was made, in some provinces, of a promise to restore the trial by battle, and the right of private war, which had been abolished by St. Louis.

If Boulainvilliers be accurately informed, Louis X. was the author of a yet more general charter, or declaration, binding himself and his heirs never to levy any imposts on the kingdom at large, except with the consent of the three estates of the realm. Of this important document, however, I believe that neither the original, nor any authentic copy has hitherto been discovered; though, if any such charter or declaration was really issued, we may safely adopt the opinion of Boulainvilliers, that it became the basis of the authority afterward exercised by the States-General in the imposition of general taxes.

Be this as it may, it is highly worthy of notice that the greater part of the provincial charters of the reign of Louis X. are expressly framed "sur la demande des Trois Etâts"—words referring, I presume, not to any demand made by the States-General of 1314, but to demands preferred by the different provincial states. Even when so understood, they sufficiently show how wide was the diffusion, and how firm the establishment, at that period, of the principle that the consent of the representatives of the people was essential to the validity of any extraordinary impost.

That principle seems to have been regarded as indisputable and fundamental when the States-General met at Paris, in November, 1355, in obedience to the summons of King John, to succor him in the disastrous war in which he was then engaged with Edward III. On this occasion, the three orders, by the express permission of the king, deliberated, not separately, but together; that request being advanced, on behalf of the Tiers Etât, by the celebrated Etienne Marcel, who was at that time the prévôt des marchands at Paris. They offered to maintain an army of thirty thousand men during one year, and to impose the duties necessary for the support of such a force. But they stipulated that a commission of nine persons, of whom three were to be selected by each order from its own members, should have the general superintendence of the raising of this money, and that the States should reassemble at Paris, in March and in November of the following year, to receive the accounts of the receipt and expenditure of the funds so to be raised, and to provide, if necessary, for the augmentation of them.

A royal ordinance was made on the 28th of December, 1355, not only to give effect to these stipulations, but also to enlarge the public liberties by other provisions which the States-General seem to have dictated. Thus it was declared that no resolution of the States-General should be valid unless each of the three orders should concur in it; that certain extraordinary imposts should be payable by all persons without exception, the king himself and the members of his family being expressly declared liable to them; that the value of the current coins should no longer be mutable by the royal authority; that the Droit de Prise (or the right of pressing cattle, corn, and other

things for the king's service) should be abolished; and that the exaction of such commodities might be resisted by force of arms by the person aggrieved, with the aid of his neighbors.

Here, then, we have, in theory at least, the unequivocal recognition of three great constitutional doctrines: the first, that the representatives of the people should meet, not merely when it might suit the royal convenience, but at such periods as might be prescribed by a due regard to the public welfare; the second, that all classes should equally contribute to the pecuniary exigencies of the state; and the third, that the crown should be deprived of the arbitrary means of raising money by a depreciated coinage, or by impressments of the goods of the people.

On the other hand, the States-General, on this occasion, established two precedents, each of them productive, with but little delay, of unforeseen and calamitous results. By uniting all the three orders into a single deliberative body, they ere long excluded the two first orders altogether from any share in the national representation. By assuming the right to collect and audit the public revenue, they made the first step toward their usurpation of the other appropriate functions of the executive government. The statesmen of 1789 must have studied to little purpose the history of 1356.

In that year the States-General met again at Paris. All their financial calculations had been defeated by the fatal battle of Poictiers, and Charles (the Dauphin and Duke of Normandy), a youth of nineteen years of age, appeared among them to represent the person of his captive father, and to solicit aid for the prosecution of the war.

The lessons of adversity, like other unwelcome lessons, are learned but slowly; and in that "stern, rugged lore," the States-General of 1356 proved but unapt scholars. Danger and alarm, as usual, elevated the most resolute and impassioned spirits among them to their natural pre-eminence in public assemblies. Robert le Cocq, the bishop of Laon, and Etienne Marcel, the mayor or prévôt des marchands of Paris, rose at once to that position. Le Cocq seems to have been the leader within the chambers, and Marcel the guide among the citizens, of that great party who saw with joy, even in the calamities of their native land, the means of punishing their political oppo-

nents, and of changing the whole financial and military administration of France. To Charles, on the other hand, these democratic designs were the objects of an ill-dissembled aversion, for he saw in them the impending ruin of the monarchy to which he was himself the heir.

The States-General opened their session by the appointment of a Committee of Public Safety; and, in deference to their advice, unanimously agreed to maintain, during the ensuing year, a standing army of 30,000 men. But severe, indeed, were the stipulations by which this grant was qualified. They demanded the immediate removal of a long list of public officers; the trial of them on charges to be preferred by the States-General themselves, before commissioners of their own choice; the appointment of twenty-eight new counselors, to be selected by each of the three orders from among their own bodies; the release from prison of the King of Navarre, a celebrated demagogue of that age; and, lastly, the substitution, if possible, of Charles himself as a prisoner in England for his father John.

Who will wonder that the heir of the crown of France should have temporized and attempted to evade such proposals as these? and who, if undisturbed by the sympathetic political passions of his own times, will seriously join the modern French democratic historians in their indignant censure of that attempt? For the moment it was unsuccessful. Charles first urged that his answer could not reasonably be expected until the time appropriated by custom to such purposes; that is, until the closing session of the States. When that time arrived, he adjourned it to a later day; and when at last it was necessary to make some answer, he alleged the impossibility of pronouncing so momentous a decision before the arrival of the expected orders of the absent king.

Thus the session reached its close amid ineffectual endeavors to provide for the defense of the realm against the foreign enemy. But, before the deputies finally separated, they met together at the Convent of the Cordeliers, at the summons, as it would seem, and under the presidency of Le Cocq. There is still extant a brief notice of the discourse he delivered on that occasion. He claimed, or was understood to claim for his hearers, the right even to depose a king of France; and

he recited to them the protests which their twenty-eight selected members had proposed to address to Charles in person, if they had actually been received by him as his counselors.

The Dauphin was now relieved from the presence of the States-General; but he was unprovided with the funds necessary to encounter and repel the common danger. In his distress he resorted to the improvident and dishonest measure of depreciating the currency. His new coinage was indignantly rejected by the Parisians. Marcel, their mayor, being summoned before the Dauphin, reiterated in peremptory terms the decision of his fellow-citizens, and, immediately on quitting the royal presence, called on them to arm in their own defense.

The call was promptly obeyed; and to such an intimation of the will of the people of Paris, Charles could answer only by the most immediate and humble concessions. Within twenty-four hours from the commencement of the insurrection, Marcel and his followers were invited to the Louvre, and were there assured by the lips of Charles himself of their own pardon; of the immediate meeting of the States-General; of his determination to displace his obnoxious counselors; of the recall of the depreciated coins; and of his intention to remit to the States-General the decision of the manner in which the coinage might best be regulated for the advantage of the people at large.

In fulfillment of these pledges, the States-General were accordingly convened, and held their first session in the presence of Charles himself. There is still extant an account of the speech delivered by Le Cocq on this occasion. After recapitulating all the wrongs inflicted by the government on the people of France, and declaring their resolution to endure them no longer, he demanded, first, the immediate removal from the public service of the twenty-two obnoxious officers; secondly, the reformation of all other public offices by commissioners to be appointed by the States-General for that purpose; and, thirdly, the withdrawal from circulation of all coins to which the States should not give their express sanction.

Prepared as it would seem for these demands, the Dauphin immediately promulgated an ordinance giving effect to them all, and adding to those concessions other and yet greater

augmentations of the powers of the representative body. It authorized them to hold three subsequent sessions without awaiting any royal summons for the purpose; to decide on the nature and amount of the imposts to be levied by extraordinary grants; and to collect the proceeds of them by officers of their own appointment. To all this Charles added a pledge, that, without their advice, no change should be effected in the current coin, and no truce made with the king's enemies; and a declaration that the twenty-two officers whom they had condemned were unworthy of any public trust or employment.

To complete the triumph of the States-General over the royal authority, they were permitted to nominate a commission of thirty-six of their own members, charged with a general superintendence of the administration of the executive government, and especially during the intervals between the successive sessions of the States themselves. It is not unworthy of a passing remark, that the Commission de Permanence, which at this day controls the conduct of the President of the French Republic during the vacations of the National Assembly, is but a mere revival of the corresponding institution which kept in check the regent of the French kingdom four centuries ago.

But the States-General of 1357 were not satisfied even with this encroachment. Deputies were chosen by the three orders to act as commissioners in every province, and to assume the guidance of every department of the state. The government by parliamentary committees during our own civil war was but an imitation of the system established three hundred years before at Paris. And as, with us, that system was substantially, though not nominally, conducted by the House of Commons alone, so, in the fourteenth century, it was in the hands of the Tiers Etât only, to the virtual, though not to the nominal, exclusion of the noblesse and the clergy.

The victory thus seemed to be complete. But with the possession of power came also its responsibilities. The States-General, submitting to the same hard necessity which subjugates all other rulers of mankind, were compelled to vote new subsidies, and to raise them by the imposition of new taxes. A demand so distasteful from any quarter, and so unexpected from an assembly of patriots and reformers, was followed by general disgust without doors, and by numerous secessions from

within. The nobles and the clergy abandoned their invidious position, leaving to the deputies of the Bourgeois the hazards and the discredit of perseverance in the struggle. Even Le Cocq himself abandoned the popular cause, and retired to his diocese.

And now the tide which had hitherto been flowing in favor of the States-General began, as it appeared, to ebb. Many cities, not excepting Paris itself, addressed the Dauphin with offers of pecuniary aid; and again were to be seen at the Louvre the ministers whom he had so lately denounced as unworthy of any public trust. But a new and powerful ally appeared for the defense of Marcel and his adherents. Liberated from prison, the King of Navarre took up arms in their favor, and restored their self-confidence. Once more, therefore, the States-General resumed their authority, and regulated at their discretion the financial affairs of the kingdom. Tried by that crucial test of statesmanship, they were found deplorably wanting. Their fiscal invention reached no farther than the renewal of the very measure which, but a few months before, had brought upon the Dauphin their own indignant and humiliating censures. To increase the revenue, they themselves depreciated the currency.

But while the States-General were thus staggering beneath the burden which they had rashly undertaken, their partisans at the Hotel de Ville retained all their former audacity. The reappearance at the Louvre of the condemned ministers kindled the resentment of Marcel, who, accompanied by a body of his followers, presented himself before the Dauphin, and inveighed, with his accustomed energy, against this breach of the royal promise. Two of the proscribed counselors, designated as the Marshals of Normandy and Champagne, were at the moment standing on either side of Charles, and, with their concurrence, he answered Marcel in terms which still more excited his indignation. The two marshals instantly expiated their error. They fell dead at the feet of their master, of wounds inflicted by the order of Marcel. To rescue his own life, Charles threw himself on his knees before their murderer, implored his protection, and promised to defer in all things to his counsels. The terrified prince then covered his head with the red and blue cap, which the adherents of Marcel had assumed as a party

badge, and was permitted to retain his precarious regency. The degradation of the Capetian race was to be signalized more than once, in later times, by the same humiliating adoption of the same fatal emblem.

The regent (for, on completing his twenty-first year, Charles had assumed that title) was now regarded by the States-General, or rather by their Commission of Superintendence, as entirely in their power; and they permitted, or, as some maintain, they advised him to meet the Provincial States of Champagne in their assembly at Provins. If such was really the advice of the States-General, they must have ill understood their own actual position. At Provins Charles found himself surrounded by the nobility of that great province, and received their ardent assurances of their undiminished allegiance to the crown, and of their increased scorn and hatred of the ignoble Bourgeois, who had so long and so insolently usurped its hereditary powers, trampled upon the delegated authority of the king in the person of his son, and assumed the guidance of the royal government. The Champenois nobles found in the regent an eager listener and a ready convert. He returned from Provins to command the attendance of the States-General, not in the disaffected capital, but at the royal residence of Compiègne.

It is maintained by some that the States of Compiègne were but a continuation or renewed session of the States of Paris, and by others that they formed a distinct and rival assembly. But it is admitted by all that they were the occasion and the scene of a decisive royalist reaction. The States of Compiègne, indeed, like their predecessors, reserved to themselves the collection and expenditure of the proceeds of such taxes as they imposed; but they granted money freely, and brought Le Cocq to trial on the double charge of seditious language and of treasonable conduct.

Charles made no forbearing or merciful use of his returning power. Gathering round him an army composed of the lawless adventurers by whom France was then infested, he destroyed the crops and burned the granaries in the neighborhood of Paris, took possession of the towns and bridges on the Seine and the Marne, and prepared to reduce the city by famine. On the night of the 31st July, 1358, Marcel, with a

large body of his adherents, had posted themselves at the Parisian gate of St. Denis, and there, with six other magistrates, he fell by the swords of assassins hired by Charles for the purpose. The city then received the regent in triumph, acknowledged his supreme authority, and witnessed submissively a large and sanguinary proscription of the citizens.

Yet, even in the hour of his success, Charles was compelled to acknowledge the authority and to solicit the support of the representatives of the French people. His father John had signed, at London, a convention which ceded in full sovereignty to the English crown the larger and the fairer part of the kingdom of France. Charles, to whom it was communicated, regarded with just indignation so enormous a sacrifice, but yet was compelled to acknowledge that he had no legal authority to abrogate a treaty solemnly executed by the king his father. His single prospect of escape consisted in obtaining the repudiation of it from the representatives of the nation at large. With that view he again convened the States-General. They met at Paris in May, 1359, and having declared the treaty of London invalid, pledged themselves to a vigorous prosecution of the war with England.

Thus closes the history of the States-General of France during the reign of John; and thus, in the opinion of Mézerai, closes the history of all the States-General really worthy of that name. Charles, however, came to the throne at a moment when popular support was indispensable to the successful conduct of those deplorable wars with which the English monarchs were still to desolate France during eighty successive years—wars of which we have been taught from our childhood to cherish an exulting remembrance, but which, as it seems to me, every reasonable man must regard as among the greatest of those calamities with which it has pleased Providence to permit our native country and the whole of Western Europe to be visited. They sowed the seeds of international animosities, the bitter fruits of which have been gathered in by many past generations, and are still, too probably, to be gathered by generations yet unborn.

During the frequent minorities of the kings of France, it happened, with a strange similarity of evil fortune, that many of them learned to conceive in their youth an irreconcilable

prejudice against those free institutions in which the real strength of their dominion consisted. It was so with Charles VI., with Charles VIII., with Louis XIV., with his immediate successor, but especially with Charles V. The inveterate resentment with which the democracy of the States-General and of the municipality of Paris inspired him can excite no surprise in any one, and can scarcely justify the severe censure which it has received from the more recent French historians. Whether they justly accuse him of having mounted the throne with a systematic design to bring the representation of the French people into contempt, that so he might bring it into disuse, I can not now pause to inquire. But it must be confessed that the charge is not destitute of plausibility.

For, first, Charles V., from the commencement to the close of his reign, appears to have studiously confounded together the meetings and the functions of the States-General, of the Royal Council, and of the Parliament of Paris. In the three or four of his conventions which usually appear in the Catalogue of the States-General of France, the habits of preceding times appear to have been intentionally disregarded. Neither the mode of electing the deputies, nor the mode of proceeding in the States, nor their composition, nor even the subjects which engaged their attention, resembled those of the reigns of earlier kings.

And, secondly, on his accession to the crown, Charles assailed the democratic power with a weapon the most keen which can ever be grasped by royal hands, but which had never been wielded by any of his predecessors. It was borrowed from the arsenal of his former antagonist. He became, in his own person, a financial reformer. To him is due the praise of having first introduced into France, or rather into Europe, the practice of carefully estimating and balancing against each other the ways and means, and the expenditure, of each successive year, and of appropriating to each branch of the public service the funds necessary for the support of each.

But while, by this wise economical foresight, Charles was acquiring the confidence of his subjects, Edward, prince of Wales, as administrator of the duchy of Aquitaine, by reversing that enlightened policy, was provoking the just resentment of that brave and irritable people. His unmeaning warfare

in Spain involved him in such financial difficulties as to render unavoidable the imposition on his subjects of an enormous house tax, which bore the name of hearth-money.

It was with eager delight that Charles watched the contrast between the conduct of his great rival and his own. Strong in the popularity acquired by his thrift and by his stern resistance to fiscal abuses, and stronger still in the unpopularity which the Black Prince had acquired by his improvident waste of the public money, Charles ventured to brave at once his two formidable enemies, the English power and the French democracy. The people of Aquitaine appealed to him, as their suzerain lord, against the misrule of the Prince of Wales, and especially against his exaction of hearth-money. To entertain such an appeal would be to declare war against the English prince, and therefore against his father. For the decision of that critical question, Charles convened an assembly at Paris.

Whether that assembly was a convention of the States-General with elected deputies representing the Tiers Etât, or whether it was a mere meeting of Notables nominated by the king himself, is disputed by the French historians. The words of the only original document illustrative of the subject, which is still extant, are hardly to be reconciled with each other, and afford some countenance to each of those opposite opinions. On the one hand, it is clear that the forms and semblance of the States-General were studiously maintained; on the other hand, it is not less clear that, at the same time and in the same place, the forms and semblance of a Parliament, or judicial tribunal, were maintained with equal solicitude; for, while the whole body was divided into three orders, as in the States-General, Charles himself appeared and sat among them, surrounded by his family, and by the chief officers of his crown, as in a Parliament. It is hardly to be doubted that the representative and the judicial institutions were thus blended and confused with each other designedly. It was no unmeaning ceremonial, or disregard of ceremony. The purpose of Charles was obviously to secure for the acts of the assembly both the deference with which the French people were accustomed to regard the resolves of the Parliament, and the authority which they ascribed to the decisions of

their representatives. He designed, by combining in one body the attributes of both of those bodies, to bring both into submission to his own power. He did not so much intend to impart to the States-General the character of a Parliament, as to secure for the adjudication of a Parliament the reverence so generally accorded to the conclusions of the States-General.

Transparent as such a device appears to us, it sufficiently answered the immediate object of the king. He could not be more solicitous to propagate the illusion that the assembly was a lawfully-constituted court of justice, than the people were willing to accept and to yield themselves to it. A generous enthusiasm in favor of a monarch who excelled in the honest arts of popularity; a stern enthusiasm against the foreign yoke; a hearty dislike (as the French historians assure us) for the cold and repulsive manners of their English conquerors; and a no less hearty disgust for the selfishness of the demagogues who had governed the States-General of the reign of John, all concurred in impelling France to defy the English power, and to restore to Charles the prerogatives of which he had so recently been deprived. The clerical order in the assembly assured the king that he might entertain the appeal from Aquitaine with a good conscience. The nobles offered him the support of their property and their swords. The Tiers Etât concurred in the propriety of the intended breach with Edward. And when each of the three orders had thus separately spoken, the whole assembly united in the declaration that the appeal against the exactions of the Prince of Wales ought to be received, protesting that the King of England would be acting unjustly if he should make that measure the occasion of a war.

It was in May, 1369, that this resolution was adopted. In the following December, Charles again convened the same assembly, to perform the less grateful office of providing the means of carrying on the war in which, at their instance, he was now involved. They accordingly agreed to maintain in force the tax on the sale of all goods, the salt tax, and the *ad valorem* duties on wines and liquors. To these imposts they added duties on the entry of wine into Paris and other great cities, and a hearth tax on every house not within any municipal limits. The almost unequaled amount and pressure

of these imposts sufficiently attests the strength with which the refluent current of public opinion was now running in favor of the royal authority, and against the democratic influences by which it had been so lately encountered and restrained. That such measures should have been adopted at all; that they should have been adopted by a body on which the presence of the king, his family, and his officers had impressed the character of a Parliament; and that this great innovation on the constitutional forms of the States-General should have been silently tolerated by that body—all this amounted, in effect, to nothing less than a great counter-revolution. It was a signal triumph of the monarchical over the popular power. It was the commencement of a long series of similar conflicts and of similar successes—conflicts and successes which terminated at length in the transfer of the power of the purse from the representatives of the people to the ministers of the crown. It will be the object of my two following lectures to trace out (though, of course, very slightly and rapidly) the progress of those struggles, and to show how they at length terminated in a result so hostile to constitutional government in France.

The obvious, though very imperfect analogies between the constitutional struggles of that kingdom in the fourteenth and in the eighteenth centuries, have of late given a peculiar interest and significance there to the passage of history on which we have been dwelling. The characters and the policy of Le Cocq and of Marcel, of the King of Navarre and of Charles V., have recently been discussed by French writers, very much in the same spirit, and under the influence of motives not a little resembling those with which we ourselves still debate the merits of Hampden and of Vane, of Cromwell and of Charles I. M. Guizot has shown how far an entire exemption from our English preiudices may assist an author of our own times in pronouncing an equitable judgment on that part of our English annals; and if England could now boast an historical philosopher worthy to be brought into competition with that great man, his estimate of Charles V. and his contemporaries might, in the same manner, supersede the advocacy or the censures of their French eulogists or assailants. But, unequal as the most profound among us may be to emulate M. Guizot's comprehensive survey of men and of their doings, it

is within the power of the humblest to remember and to imitate his judicial impartiality.

I observe, then, that as neither Charles V. nor his opponents rose above the level of their times, so the conflict between them was conducted in a spirit which, on either side, was almost equally narrow-minded. For,

First; Le Cocq and the States-General, Marcel and the Bourgeois of Paris, seem to have acted throughout on the assumption that the democracy must always increase their own strength and resources exactly in proportion to their success in diminishing the powers of the crown. That each member of the commonwealth is directly interested in the support of the legitimate authority of the rest, was a truth as much hidden from them as to ourselves it has become trite and familiar to satiety.

Secondly; the agitators of that day, as of some later days, contemplated the venerable edifice of society, not as a sacred institution, to be approached with reverence and touched with awe, but as a mechanism on which the rude hands of ignorance or of passion might be laid without contracting guilt or deserving punishment. No man's conscience seems at that time to have been possessed with that sense of duty, or to have been alarmed with that dread of sin, which should either animate or deter him who undertakes to reform the government of a mighty nation.

Thirdly; in their eagerness to subvert, the States-General of the reign of John forgot, or perhaps they did not know, how extreme is the difficulty of reconstruction. They regarded revolution as an exciting game, to be played out in the spirit of audacious adventure, not as the most extreme of all remedies, and the most arduous of all duties; to be undertaken, indeed, resolutely, when the sad necessity arrives, but to be discharged even then with moderation and with self-control.

Fourthly; the usurpers of the French government in the fourteenth century seem not to have remembered that, in such revolutions, the hour of triumph is also the hour of trial. They learned, when too late, that there may be, and often is, no connection at all between the vulgar talent which detects and censures the errors of the rulers of mankind, and the nobler talent which discerns and knows how to pursue the path of safety

and of true wisdom. The States-General were as unskillful financiers and as unsuccessful administrators as Charles himself; and in both those functions far weaker, because far more unpopular, than he. In him the people at large forgave the excesses of youth, and pitied the misfortunes of the most exalted birth, and revered the descendant and representative of a long line of kings. In the blunders of the States-General and their commissioners, they despised the incapacity and hated the insolence of a body of reckless and arrogant innovators. Reviving despotism could have desired no firmer support in all its subsequent aggressions than the memory of such a revolution, conducted by such persons to such an issue.

Fifthly; in the excitement of that desperate game, the States-General were, in appearance at least, indifferent to the disasters of their common country, and to the high claims which the young heir to the crown of France had to their forbearance and their zealous support. They rashly hazarded the independence of France rather than forego the opportunity of seizing upon the government. In the very dawn of his manhood, they studiously trained up their future king with such prepossessions and with such just resentments as could not but render him, in his more mature days, the irreconcilable enemy of the popular cause. Nor,

Sixthly; is it their least reproach that they squandered an inestimable opportunity of obtaining solid and permanent guarantees for the very reforms which they most desired to accomplish. The memory of the Provincial Charters of Louis X. was still recent and distinct. They were not ignorant of the powers which their Anglo-Norman enemies were deriving from the observance of not dissimilar charters. It was in their power to secure for their constituents periodical meetings of the States-General—the power of the purse—and a large share in the legislative power. On that basis they might have cemented a firm alliance of all the three orders, with a due regard to the powers and dignity of the crown. But all these advantages were, in their eyes, as nothing, if only Le Cocq might govern France from the tribune, and Marcel be supreme over Paris at the halles.

Seventhly; fatal also, and of ill omen, was that union of the representatives of the people and the demagogues. Between

the guardians of law, of order, and of constitutional franchises on the one hand, and the agitators of the multitude on the other, there can never be any permanent reconcilement, nor any other than a dangerous truce. The States-General could not reasonably anticipate any thing but a ruthless and degrading servitude from the elevation of him who had slaughtered the counselors of the Dauphin at their master's feet, and who had induced, if he did not enjoy, the personal humiliation of the heir of their captive monarch.

Eighthly; it is, on the other hand, impossible to vindicate the Dauphin himself. His conduct in these controversies was improvident, faithless, cruel, and capricious. Yet in his youth, and in the resentment but too justly provoked by his opponents, we may at least discover some apology for his errors, and some extenuation even of his crimes. But,

Lastly; be the judgment of history on the personal character of Charles what it may, his struggle with the States-General is important to us chiefly as illustrating some great and permanent truths. It shows that in political contests success awaits the power which opposes a single and unfaltering purpose to the shifting and uncertain impulses of its antagonists; that though distrust of our brethren may too often be necessary for the defense of society, faith in them is the essential condition of all true social progress; that the privileged orders of any state, if not themselves strictly united, must fall at the first direct encounter with the democracy, at all times their most irreconcilable and their most dangerous enemy; that the habitual and intense contemplation of the wrongs we endure is not the best method of attaining the rights to which we aspire; that, while ages pass away, man remains unaltered, the revolutions of one century differing in circumstances only, not in spirit, from those of another; that it is for this reason that history is a science, and not a series of aimless though amusing narratives; and that (as the wise man teaches) "The thing that hath been is that which shall be; and that which is done is that which shall be done; and there is not any thing whereof it may be said, See, this is new. It hath been already, of old time which was before us."

LECTURE XI.

ON THE STATES-GENERAL OF THE FIFTEENTH CENTURY.

Having in my last lecture attempted to review the proceedings of the principal conventions of the States-General of France in the fourteenth century, I proceed, as far as the time at my disposal will allow, to explain the various attempts and the ultimate failure of the States assembled on the fifteenth or following age, to maintain the authority of the representatives of the people, and to restrain the usurpations of the royal power. This chronological distinction is not, indeed, very accurately drawn, as I have yet to notice the measures of the States-General of 1380 and 1382, but these may be most conveniently considered and reviewed as introductory to those of the reign of Charles VII. and of his two immediate successors.

When Charles VI. ascended the throne of his ancestors, he had not completed his twelfth year. He had, therefore, to anticipate the dangers of a long minority; but, otherwise, no prince had ever entered on that high office with what might have seemed brighter auguries of a prosperous reign. His three uncles, the Dukes of Anjou, of Berri, and of Burgundy, disputed the honor of defending the realm and the person of their young sovereign. Duguesclin and the other great commanders of the armies of Charles V. had wrested from the English nearly the whole of their conquests in France. By the thrift and foresight of that wise monarch, a treasure had been accumulated, which the estimates (perhaps the exaggerated estimates) of that age represent as having amounted to between two hundred and fifty and three hundred millions of francs; and the Assembly, or States-General of 1369, had placed at the disposal of the crown such permanent financial resources as might seem to have banished all reasonable fear that France would ever again have to mourn over such a defeat as that of Poictiers, or to sign such a treaty as that of Bretigny. Justly confident, therefore, as it then appeared, in the

prospects of his successor, Charles V. had signalized the last day of his life by the promulgation of letters patent abolishing the hearth tax, and prohibiting the revival of it.

But these brilliant hopes were almost immediately overcast. Louis, duke of Anjou, the eldest of the uncles of Charles VI., and regent of France during his minority, had been appointed, by the will of Jane, the deceased Queen of Naples, to succeed to her on the Neapolitan throne. To prosecute his claim to so brilliant an inheritance, Louis stood in urgent need of large sums of money. The treasure accumulated by Charles V. had been deposited for safety in the Castle of Melun, and Louis had solemnly sworn to guard it for his royal nephew. He, however, broke open the chest and purloined the money.

At this time the patience of the people of Paris had already been severely exercised. They had resented the delay in carrying into effect the abolition of the hearth tax, to which the letters patent of their dying sovereign had entitled them. They had been irritated by an attempt to extend the tax on the sales of merchandise to all those petty articles with which the public markets were supplied for the daily consumption of the citizens. When, therefore, the intelligence of the robbery of Melun reached them, their discontent broke out into actual insurrection. A Parliament, as it was called, of the townsmen was convened, and marched, at the head of the insurgents, to the royal palace. A cobbler distinguished himself by a vehement harangue against the farther payment of any taxes whatever. The popular fury rose, and was irresistible. Even the chancellor was compelled to provide for his safety by an artifice with which, during the last sixty years, almost every statesman in France has been more or less frequently familiar. He assumed the character of a demagogue, and won the momentary confidence of the mob by exclaiming, "Kings reign only by the suffrages of their subjects, though they may deny it a hundred times." In the name of their youthful monarch, the terrified courtiers issued an ordinance, complying with every demand of the agitators. It repealed all aids and subsidies imposed since the time of Philip le Bel; and it declared that the payment of such imposts in time past by the people should never be drawn into a precedent for the renewed exaction of them. The triumph of democratic violence was then

celebrated with the usual demonstrations of popular joy. The Jews were plundered of all their property, and the house of every tax-gatherer was given up to pillage.

But France was now again involved in war with England, and to supply the funds required to provide for the public defense, an assembly was convened at Paris in the year 1380. It is much debated by the French historians whether this assembly was, in the proper sense of the words, a meeting of the States-General. But it is perfectly clear that the members of it assumed the right of granting large duties on the sale of merchandise. They assumed it, however, in vain. The fulfillment of the king's recent pledges was sternly demanded by Paris, and by many other great cities. The demand could not be silenced, and yet it could not be conceded. To collect the existing taxes was scarcely possible. To levy any new imposts seemed altogether hopeless. The war, however, would not remit its demands for money; and so urgent were the exigencies of the public service, that, at length, in January, 1381, an ordinance was made in the royal name for the imposition of new duties, and for the sale of them as a farm to the highest bidder. The strength and the violence of the popular party had now become so formidable that no one ventured to undertake the office of proclaiming this unwelcome enactment. At length a man of more than usual address and courage was hired to run the hazard. Mounted on a swift horse, he rode into the crowd, and amused them by a story of a supposed robbery, and by the offer of a reward to any one who might detect the criminals; and then, availing himself of the wonder and of the talk which his tale had excited, he abruptly announced that the new taxes would be levied on the morrow, and, setting spurs to his horse, hardly escaped with his life from the rage of the indignant multitude.

This strange device was the signal for a new insurrection. It was called the revolt of the Maillotins. Barricades were erected, a civic guard was organized, the prisons were thrown open, and, during several successive days, Paris was abandoned to massacre and pillage.

In the midst of these excesses, an assembly of the States-General was convened, in April, 1382, at Compiègne, when the first president of the Parliament of Paris demanded, in the

king's name, the indispensable supplies for the conduct of the war. The deputies of the Tiers Etât answered by promising to consult their constituents. They did so, and, in due time, reported their decision in the following pithy words: "Potius mori quam leventur." Again, therefore, Charles VI. was compelled to publish a retraction of his recent ordinance, in very nearly the same language as that which had been extorted from him by the first of these Parisian insurrections. Thus it seemed to be firmly established, at least in the North of France, that, without the consent of the States-General, no taxes could be lawfully raised, and that, for the present, their consent to any new taxation was not to be obtained.

The unwonted energy and success of the popular cause in France at this time is to be explained by the fact that it was an era when, under the influence of some strange sympathy, the whole of Europe was agitated by the simultaneous discontents of all her great civic populations. The insurgent spirit, commencing in the Italian Republics, had spread from the south to the north of the Alps, every where marking its advance by tumult, spoil, and bloodshed. Wat Tyler and his bands had menaced London; and the communes of Flanders, under the command of Philip van Arteveld, had broken out into open war with the counts, their seigneurs, and with their suzerain lord, the Duke of Burgundy. The Flemings had established intimate relations with the insurgents of Paris, and every eye in that city was turned toward the Burgundian army, which, under the nominal conduct of the young king, was advancing to chastise the Gantois. On the issue of that attempt, the fate of the royal and baronial power seemed to hang in France, not less than in Flanders. The battle of Rosbecque decided that controversy in favor of the king and the Duke of Burgundy. It crushed the Flemish revolt, and drove the Maillotins of the French capital first to panic, and then to despair. The victorious army returned to Paris. The citizens were disarmed. Three hundred of the richest of them were drowned or hanged without any form of law. The municipal rights and property of the city were declared to be forfeited. A fine of 400,000 francs was imposed on the Parisians alone. Penalties scarcely less enormous were levied at Rouen, Rheims, Châlons, Orleans, Sens, and many of the cities of

Languedoc. The Burgundian soldiers were sent to live at free quarters among them. All the imposts so recently abolished were reimposed by the mere authority of the king. All the pledges given by him, or in his name, were set aside as so many unmeaning words. The reaction was complete; and no less than thirty years elapsed before France ever again witnessed the convention of the States-General of the realm.

In that long interval money was sometimes raised for the public service by simple edicts of the crown, but, more frequently, the concurrence of some of the constituted bodies of the state was solicited to sanction or countenance this usurped authority. On one occasion the clergy and the University of Paris were thus convened to give their assent to the imposition of a tax. At another, the deputies of particular cities were brought together for the same purpose. But neither the battle of Rosbecque, nor the executions and terrors which had followed it, nor the isolated position of the clergy, nor the defenseless state of the Bourgeoise, could repress that daring spirit which, in the close of the fourteenth and in the beginning of the fifteenth century, had so deeply possessed the national mind of France.

Thus in the year 1411, the king proposed to the clergy and University of Paris the imposition of a new tax which should affect all orders of men indifferently; when, in the answer which they returned through the Chancellor of Nôtre Dame, those learned bodies had the courage or the temerity to declare that a king who should so abuse his power ought to be deposed. The chancellor was prosecuted for his audacious words, but the universal enthusiasm in his favor compelled the government to abandon the prosecution.

The reins of royal authority had been strained too far. Public dangers and private intrigues at length compelled the king and his ministers to relax their grasp of them. Alarmed by the perils with which the renewal of the war with England was menacing the kingdom, the Dukes of Berri, of Burgundy, and of Orleans brought their selfish hostilities with each other and with their sovereign to a close by the treaty of Auxerre. To ratify the compact by the highest possible sanction, it was resolved to convene once more the States-General of France, and thus to obtain such supplies as might be requisite to repel

the invader. The States accordingly assembled at Paris in the year 1412, when the Chancellor of Guienne delivered, in the name of his sovereign, an address which might well have been stereotyped for the use of all ministers who in all future times should have occasion to appeal to the liberality of representative bodies. It eulogized the executive powers who stood in need of money; it magnified the benefits which the possession of money would enable them to confer; and it ended by an earnest entreaty for assistance from those who had money to bestow. "The king," exclaimed the chancellor, in his peroration, "requires of you three things, that is, *comfort*, *aides*, *et secours*;" or, as we should say in English, money—more money—and yet more money still.

The three orders, embarrassed, though certainly not surprised by the demand, deputed the clergy and the University of Paris to prepare and deliver their common answer. The choice of men of the gown for what might well appear a hazardous service was well justified by the result; for never did coat of mail or cuirass cover hearts more dauntless than throbbed beneath the hoods and surplices of those reverend churchmen. Listen, for example, to the following passages from the speech which, in their name, the Abbé du Moutier addressed to the kings and princes before whom the knights and burgesses of France had been quailing for the last thirty years. "Most of your revenue officers," he said, "are mere nobodies, who were poor enough when they entered your service, but have grown rich in the course of it. Only let a vagrant become the clerk to a receiver, to a secretary, to a treasurer, or to a general, and forthwith you shall see him ruffed and furred with marten skins and other rich dresses, so that nobody can know him for the same man. He must needs have a rich sash round his loins, and won't dine with any man who does not treat his guests to hippocras. And all this waste is at the king's cost. It won't do, however, to reform the petty offenders only. You must begin with the grandees, and give a shake to the Court of Parliament, where sits many a worthless member. The aides were increased on account of the king's wars; but now, when the wars have begun to relax, some of those aides are bestowed by the king on their lordships. As he has given them money, so let them give

money to him. Let not the king exempt them from contributing to his service. They are of his own blood. They are his subjects. They hold of him so many noble estates that doubtless they will be among the foremost to assist him." So spake the University of Paris by the lips of their delegate; and not unlike this was the dauntless tone in which, in the following century, our own University spoke by the lips of brave old George Latimer, who, fearing the face of no man, compelled all bad men to fear him.

But, at that time, Paris boasted a far more eminent son than Du Moutier in the devout and learned John Gerson, afterward the ornament and leader of the Council of Constance. Not even at that celebrated synod did Gerson ever raise his voice with greater energy than when, at the States-General of 1412, he asserted the right and the determination of his University to rebuke the king and the princes for the wrongs which they had inflicted on the people of France. "Universitas," he demanded, "representat ne universum regnum? Immo vere totum mundum. Quare ergo non potest et debet, similia verba (veritatis magistra), regi suo et domino liberius intonare? Quid totus diceret Franciæ populus, quem quotidie Universitas, per suos subditos, ad patientiam et bonam obedientiam regis et dominorum adhortatur, si non æque bene regi loqueretur, ut sese benigne, juste, et rationabiliter, erga populum suum haberet? Videretur adulationis et dissimulationis factum, nec unquam populus nos audire vellet."

But of all the learned doctors who signalized their public spirit on this occasion, the most remarkable was Eustache de Pavily (the public orator, as we should say, of the University), whose expostulations were drawn up in the form of a memorial or written speech, which is still extant. In the name of his constituents, De Pavily impeached Jean de Nesle, the chancellor of the Dauphin, and demanded the seizure of his goods and person; and then addressing himself to Charles, upbraided him with his personal extravagance—with the non-payment either of the ordinary expenses of his household or of the salaries of his officers—with the decay of his castles—with the neglect of his royal domain—and with the example of his father, who, after nobly employing his revenue in the expulsion of the English, had accumulated a vast treasure for the serv-

ice of the crown. Louis XVI. scarcely received from the National Convention reproaches more bitter, contemptuous, or disloyal than Charles VI. was compelled to hear from the lips of Eustache de Pavily, as the organ of that great and learned society, which, strong in the reverence of Europe and of the Church at large, maintained its independence and its free spirit amid the wreck of every other popular institution. The courage of the reverend orator may merit admiration; but his invectives were as unjust as they were indecorous, for the sovereign to whom they were addressed was exempted from all personal responsibility, and ought to have been rescued from all such indignities, by the madness under which he labored, and which seldom knew a partial, and perhaps never a complete suspension.

The grievances against which Du Moutier, Gerson, and De Pavily raised these indignant expostulations were, however, intolerable; as we may sufficiently learn from the Ordinance of the 25th of May, 1413, which, at the instance of the States-General, was enacted for the redress of them. It was the work of a committee appointed by the States for that especial purpose, and is the earliest of that long series of written constitutions which attest the subtle, the philosophical, and the sanguine spirit of the statesmen of France, but which also attest their habitual unconsciousness or disregard of many simple and elementary truths, moral and political. Such, for example, is the truth that there has been constituted among men a polity not human, but divine—a polity to which all secular institutions are so far subordinate that there never can be a perennial spring of life in any civil state, the laws and Constitution of which forbid the free action and the progressive development of the state ecclesiastical. Such, also, is the truth, that communities, like individual men, are subject to duties which they may not abandon, and to laws which they may not violate with impunity. And such, again, is the truth, that in political society no real or enduring blessing can be of an ephemeral growth, but must be gained by sacrifices, and perpetuated by tradition, and nourished by reverence, and matured by habit, and maintained, among the ruder multitude, by much submissive faith and by many honest prejudices. Maxims such as these, familiar as they are to ourselves, were

as completely hidden from the French people in the fifteenth as in the nineteenth century. In May, 1413, therefore, the States-General procured the enactment of a royal ordinance establishing a new and a complete system of government. It regulated the royal domain, the coinage, the taxation, the military expenditure, the audit of the public accounts, the management of the royal forests and navigable rivers, the administration of justice, the office of chancellor, and the constitution of the Parliament. Just eleven months afterward, the whole of this splendid edifice was swept away, leaving behind no trace of its existence, except on the parchments on which it had been delineated. The sacred right of insurrection was once more called into exercise. Vast mobs, who bore the name of Cabochiens, usurped for a moment all the powers of the state; and by a strange imitation of the extravagances of their predecessors in the reign of John, and a still stranger anticipation of the feats of their remote posterity, subjected the Dauphin to the very same insult and humiliation which Louis XVI. was afterward destined to endure, except, indeed, that the cap of liberty worn by the unhappy Louis was red, while that which was forced on the head of Charles was white.

In this reign of terror of the fifteenth century, the Duke of Burgundy assumed the character which Philippe Egalité was to enact nearly 400 years afterward in the same city. He organized the butchers of the capital into a force at once military and fiscal; and having collected the public taxes by their agency, employed those funds in supporting the rabble who gathered round his hotel as at once his partisans and his defenders.

The battle of Agincourt was fought in the midst of these tumults. It is impossible, and perhaps, if possible, it might not be desirable, to repress the exultation with which we dwell on that marvelous victory; yet neither is it desirable to conceal from ourselves the fact that our heroic ancestors triumphed over a disunited people—over an undisciplined army—over generals at once unable to command and unwilling to obey—over princes of the blood who had debased themselves into mere demagogues—and over a king whom Providence had smitten with an incurable madness. To these causes, more than to his own capacity or valor, Henry was indebted both

for that triumph and for his subsequent successes. The Bourgeois of Paris became his avowed partisans. The Dukes of Burgundy and of Bretagne basely acknowledged his authority; and, on the 31st of May, 1420, he was solemnly acknowledged as the legitimate heir to the crown of France.

Yet, even in that hour of humiliation, the French people did not abandon the hope of vindicating the constitutional rights for which they had so long contended. They obtained from Henry a pledge that he would neither impose nor levy any imposts upon them except for reasonable and necessary causes, nor even then except in accordance with the laws and approved customs of the realm. To secure the fulfillment of this promise, they farther stipulated that the States-General should immediately be convened to give their advice and consent respecting the terms on which the crowns of France and of England should be combined in the person of Henry, without any such union of the two kingdoms as might impair the independence of either.

Henry observed this engagement so promptly that the States-General of France met at Paris, in obedience to his summons, in the course of the same year. It is, however, a passage of history not to be read without shame and indignation, whether the reader belongs to England or to France. The States-General, depressed by the public calamities and stimulated by the Burgundian party, not only submitted to Henry, but openly announced their hostility to the Dauphin. To aid the English king in his war against the legitimate heir to the French crown, they authorized levies of money in the most oppressive and iniquitous forms. The coinage was to be debased for the profit of the treasury; and all persons possessing property were to be compelled to make loans to Henry on such terms as he might dictate, and on such security as he had to offer. Not satisfied with thus humbling the subjects of Charles of Valois, Henry compelled that unhappy prince, though actually laboring at the time under his constitutional insanity, to appear in person before the States-General of France, and there to acknowledge that the treaty of Troyes, which had transferred the royal inheritance of his posterity to the English king, was his own free and spontaneous act, and to declare that it would redound to the praise and honor of God, to his own advantage,

to the weal of the kingdom of France, and to the benefit of all his subjects. These lamentable declarations of the insane old man were received by the Three Estates with loud applause, and (as may be read in Rymer), "eandem pacem laudarunt, acceptarunt, et auctorisarunt, referentes humillime gratias utrisque regibus." That the Assembly might drain the bitter cup to the very dregs, they were then compelled to swear to the observance of the treaty of Troyes, and to sanction an edict promulgated in the name of Charles, which denounced as traitors and as rebels all who should presume to contravene that treaty.

In opposition to these intolerable indignities, a solitary voice was raised. It is impossible, in this place, to record, without some sympathetic exultation, that it again proceeded from the University of Paris. The rude and contemptuous menaces of Henry, however, silenced their orator, and the last faint embers of the ancient spirit of the States-General seemed to be finally extinct. Confident in his success, and despising those on whom he had thus been permitted to trample, Henry, in April, 1421, published in the name of Charles, the titular king, an ordinance which imposed on the French people all the ancient duties on wines and liquors, the salt tax, and the *ad valorem* duties on the sales of merchandise.

These memorials of the degradation of their forefathers are suppressed by most of the French historians, or are explained by the hypothesis that the States-General of 1420 were composed only of the hired creatures of the Duke of Burgundy and of the English king. If in that or in any other supposition the wounded national self-esteem of that great people can find any solace, it is a consolation of which no Englishman should wish to deprive them; for our own ancestors partook largely of the degradation which they inflicted, and grievously abused the advantages which they had won. They constrained, or encouraged the States-General of France to concur with their hereditary but insane sovereign in proclaiming his own and their disgrace; in denouncing his son as a traitor for resisting the cruel enemy of his house; and in extorting money from his subjects to crush the last efforts of that young and gallant prince.

That Shakspeare is not only the best, but the only tolerable historian of the wars waged by the Roses against France and

against each other, has passed from a sportive jest into almost a serious article of our received literary creed. At the risk of a seeming treason to the majesty of our great dramatist, and of a seeming insensibility to our national glories, I must avow my regret that he ever wrote those parts of his historical dramas (if his they really be) which celebrate the reigns of Henry V. and of his less famous, though far worthier son. The most exalted genius has really no privilege to propagate misconceptions and prejudices hostile to "peace on earth and goodwill among men." That "myriad-minded man" was not, after all, exalted so far above the common level of the human intellect, that, from those heights, he might teach his worshipers to call evil good, and to put darkness for light. The wars of Henry V. were among the greatest crimes which disgrace the annals of Christendom, as they drew down upon England, in her own civil wars, one of the most swift and fearful examples of providential retribution. Henry himself, though a lion-hearted captain, has no place among the great masters of the art of war. His comrades, who, under the names of Fluellen and the rest, have so long provoked our merriment, might have been exhibited with greater real, though with less dramatic truth, as barbarians who employed the arts of civilization to convert the fair realm of France into an Aceldama, and who bequeathed to the most distant generations of Frenchmen a hatred of the English name which it is difficult to condemn, even when we most regret or censure the excesses to which it has occasionally given birth.

For all these enormous wrongs, however, the Dauphin lived to take such vengeance as might have satisfied the most vindictive hostility. After the lapse of some years from his elevation to the throne of France, under the title of Charles VII., he was able to boast that he had brought to a triumphant close the protracted war between the houses of Valois and Plantagenet; that he had established in France a standing army; that he had provided adequate and permanent funds for the support of it; and that, at the expense of the aristocracy, by whom his father was betrayed, he had enlarged the monarchical power to a greater extent than all or any of his predecessors. Yet it is difficult to assign to Charles VII. a place among truly great princes.

The first and most indispensable element of greatness in active life is a social spirit—that sympathetic temper by which a man can render others the willing agents of his own energetic will, or by which he can render himself the willing agent of minds more powerful than his own. It is in this last sense only that Charles VII. can with any plausibility be ranked among the magnanimous rulers of the world. He had not the gift of subjugating to himself the dominant souls or intellects of his age, but he had the gift of discerning, of appreciating, and of obeying them.

Thus, in the midst of his constitutional languor aud voluptuousness, he was roused to heroism by two women, who had indeed nothing in common but this power of infusing energy into the torpid genius of their king—by Joan of Arc, the noblest of heroines, and by Agnes Sorel, to whom the present generation of Frenchmen, not satisfied merely to forgive her guilt, are enthusiastically erecting statues. Thus, also, the military ardor which indolence and the love of pleasure might seem to have extinguished in him, was kindled by the influence and the example of Richemont and of Dunois. And thus, again, in those great administrative duties to which the habits of his early life had most indisposed him, he promptly followed, though he so lamentably requited, the guidance of Jacques Cœur and of Xaincoing. With a character to which, if he had lived apart from minds superior to his own, it would scarcely have been possible to yield any respect, Charles, submitting himself in turn to each of these influences, became the author of unrivaled benefits to his people; the emancipator of his native land from a foreign yoke; the triumphant conqueror of her enemies; and the founder of some of the most important of her civil and military institutions.

The first convention of the States-General, in the reign of Charles VII., of which we have any distinct account (for these assemblies were now accustomed to meet and to separate annually, without attracting any notice from the chroniclers of the times), was holden at Meun-sur-Yêvre. They represented only those parts of Southern France which, in the year 1426, were still adhering to his cause. Eighty years had now elapsed since France had become the seat of war. Even when peace had been nominally established, it had been attended neither

by security nor by repose. It had merely thrown the disbanded soldiery on the people for support, in a temper as rapacious and as formidable as when they were in open war, but not as then governed by any wholesome restraints of military discipline. Relief from this intolerable oppression was, therefore, the one desire and demand of the States of Meun; and when Charles gave them a solemn assurance of redress, they answered by pledging themselves to repay the boon at the sacrifice of all the property, and even of all the rights which they possessed. They engaged to serve him even to the death with their persons and their substance, and with whatever else was dear to them.

Such pledges are usually nothing more than the conventional rhetoric of representative assemblies when expressing their gratitude to the sovereign power. But, in this case, a more specific engagement imparted to their language a far deeper significance. The States consented that, inasmuch as they could not easily be brought together, the king might from thenceforward, as often as war should be made upon him, do whatever justice and right should require, without awaiting another assembly of the three orders; and they promised to obey him with all their power; to live and to die with him in any such quarrel; and (in their own names and in the names of all the absent people of the realm) to place the lives, the persons, and the goods of them all, at the service of the king against any persons whomsoever.

At the same meeting, the clergy proposed that a separate fund should be formed for the regular maintenance of the army—a security against the rapine of the disbanded troops, which they very reasonably regarded as of much higher value than the most lavish promises which could be addressed to Charles, or than the most solemn pledges into which he could enter.

We may, however, safely understand the language thus employed, both by the clerical order and by the States-General of Meun, not as the expression of any deliberate purposes, but as extorted from them by the distress and excitement of those disastrous times. They were willing, at the moment, to abdicate their own privileges, and even to create a permanent dictatorship in the person of the king, that, under the shelter

of his absolute authority they might be secure from wrongs, which rendered all franchises worthless, and life itself a burden. Their offers and suggestions did not fall unheeded on the ear of Charles. They were never really forgotten, nor were they eventually barren of the results to which they so obviously tended. But he did not at once assume the powers thus proffered to him. The time had not yet come for such a departure from what the great majority of Frenchmen then revered and cherished as their national constitution.

Two years after the States of Meun, the one subject of the thoughts of all men in France was the siege of Orleans. To advance his cause, Charles assembled at Chinon the deputies of such parts of his kingdom as at that time acknowledged his sovereignty. The Maid of Orleans herself was present there, and popular enthusiasm rose to its highest pitch. By the unanimous acclamations of the Assembly, an aid was voted of four hundred thousand francs. No layman in the realm was to be exempt from it. The nobles, nay, even the common beggars, were expressly required to contribute to this sacred fund. Ere long the siege of Orleans was raised. Accomplishing the strange presages of her early life, Joan of Arc conducted her sovereign to Rheims. The Duke of Burgundy renounced the English alliance; and Charles, exulting in his almost miraculous success, caught, for the first time, a distinct foresight of his approaching triumph over the inveterate foreign enemies of his people and of his crown.

With that prospect seems also to have come the first clear intimation of the other approaching triumph which he was to win over the domestic antagonists who had so long circumscribed the power of his ancestors, and who, during the two preceding reigns, had so often agitated France with tumult and insurrection. The first, though incomplete accomplishment of these hopes occurred at the States-General holden at Tours, in the year 1435–6, for confirming the peace which had been made at Arras with the Duke of Burgundy. The States, on that occasion, submissively concurred in re-establishing those imposts against which the Parisians had so often and so successfully revolted.

After three years of tranquillity, during which the contributors made no attempt to resist the exaction of those imposts,

Charles, emboldened by their general acquiescence, convened the States-General of Orleans in the month of October, 1439. Of all the assemblies of that nature holden in his reign, it was at once the most important and the most brilliant. Victorious over the arms of England—the undisputed master of his once rebellious capital—and revered by his subjects as their protector against wrongs still more intolerable than those of war, Charles, shaking off the levity and the indolence of his earlier days, exhibited himself at the States-General of Orleans arrayed in all the outward dignity, and animated by all the royal instincts of a mighty sovereign. The chroniclers of the age, captivated with the splendor of the ceremonial, labor to describe him as surrounded by the lords, the prelates, and the commons of his realm; as attended by the princes of his house and by the great officers of his crown; and as supported by Richemont and Dunois, and the other commanders who had led his troops to victory. They commemorate the orations spoken by the chancellor, and they tell of the sanction given by the States to the projected peace with England, to the ransom of the Duke of Orleans, and to the resumption by the crown of all grants by which the royal domain had been diminished. But they pass over in silence, as they had probably witnessed with inattention, the momentous proceedings which led to the enactment, on the 2d of November, 1439, of the celebrated law entitled an "Ordonnance sur la Gendarmerie." Yet a law more important in its principles and in its results had never before been advised by the representatives of the French people, nor enacted by any king of France.

We have seen that the clergy in the States of Meun had recommended that a fund should be created for the regular payment of the troops, and for the prevention of their rapine and misconduct. One of the counselors of Charles, and, as it is generally supposed, Jacques Cœur, revived this proposal at the States of Orleans. He pointed out to the deputies the necessity of appropriating in the various provinces funds adequate to this purpose, that so the troops, wherever stationed, might receive their pay with strict punctuality once in each month. And he farther suggested that the whole force to be so maintained should consist of nine thousand men, each of whom should receive ten livres monthly. There is no com-

plete contemporary evidence in support of the common opinion that the States of Orleans made a permanent appropriation, for the support of this force, of one million two hundred thousand livres per annum, payable from the tailles due to the various seigneurs in the kingdom within their respective fiefs. That the case was really so is, however, reasonably inferred, partly from the language of the Ordonnance sur la Gendarmerie, and partly from the proceedings of the States held, fifty years later, at Tours.

The Ordonnance sur la Gendarmerie, by which this resolution of the States was carried into effect, reserved to the king the exclusive right of appointing all officers having the rank of captains, and of fixing the number of their troops. No officer was to assume that title, or to command any soldiers in war, without the king's express sanction. Every captain was to be responsible for the conduct of those serving under him, and was to prevent their pillage and ill treatment of the people. The whole force was to be subject to the jurisdiction of the king's ordinary judges; and, if any wrong should be committed by any soldiers for which redress could not otherwise be obtained, the sufferers were authorized to invoke the aid of their fellow-citizens, and, in concert with them, to attack the wrong-doers, and deliver them up to justice. Barons commanding garrisons in their own castles were required to maintain them at their own cost, and were made responsible for their misconduct. All such barons were forbidden to levy tailles for victualing their fortresses, excepting such as had been immemorially payable to them; or themselves to retain the whole or any part of the tailles or aides *granted by the three estates and levied in their seigneuries*—a provision from which is drawn the only contemporary proof that such an appropriation of the seignorial tailles was actually made. The ordonnance closes with another provision hardly less memorable. It declares that the king will never pardon any one who shall violate this fundamental law; and adds that, if by importunate solicitation he should ever be induced to grant such an indulgence to such an offender, the judges are to pay no regard to it.

You will readily perceive the great magnitude of these innovations. The States-General had at once encouraged and empowered the King of France to introduce, in favor of the

people at large, and to the prejudice of the seignorial authority, a reform which the boldest of his predecessors would not have hazarded. The soldiery were now, for the first time, subordinated to the magistracy and to the law. The barons, and the men-at-arms serving under them, were reduced from the rank of uncontrolled masters of the people to that of obedient subjects of the king. The seignorial tailles became, not an occasional, but a permanent tax. They were transferred to the royal from the baronial treasuries. The king was placed at the head of a standing army, the gathering of which could no longer be prevented by the active or passive resistance of the seigneurs, and the government of which could neither be disorganized nor usurped by the officers in the immediate command either of battalions or of companies.

The satisfaction with which this great change was regarded by Charles himself, seems not to have been unmixed with anxiety. He saw in it a conclusive proof of the vast influence of the States-General over the people of France; and he never again convened them. In enabling him to promulgate the Ordonnance sur la Gendarmerie, they had given proofs of a power, and of a consciousness of power, which, if permitted to increase by farther exercise, might as readily abase, as it had elevated, the authority of his crown. By rendering themselves too useful, they had, in his eyes, destroyed their own utility. After the dissolution of the States of Orleans, Charles therefore provided for such exigencies as he occasionally encountered by convoking either the Provincial States or Assemblies of Notables. One such assembly met at Nevers, in the year 1441. It presented to him a demand for the redress of grievances, and advised him to summon the States-General of the kingdom. His answer reminded them that such a convention was no longer necessary to legalize his levying of tailles—a lesson, or perhaps a sarcasm, by which it was now too late for them to profit.

The Notables, that is, the barons and seigneurs, were indeed ere long dissatisfied with the concessions which they had made to the king at Orleans. If Philip de Comines be well informed, their concurrence had been purchased by money secretly advanced by the king for that purpose. But, after some experience of the effects of the Ordonnance sur la Gendarmerie, they

presented to him earnest remonstrances against the farther execution of it. M. Michelet has given an account (and, as is usual with him, an amusing and picturesque account) of their ineffectual struggles to shake off the fetters which they had inadvertently assumed at Orleans. To all their expostulations Charles opposed a peremptory and decisive refusal. He was now at the head of a force which rendered his decisions, and especially his popular decisions, irresistible.

For the Ordonnance sur la Gendarmerie appears to have been eminently popular, even though it was carried into execution by means the least calculated, as it would seem, to conciliate the people at large. Since the time of St. Louis, the tailles had always been apportioned among the contributors by officers of their own election, and who, for that reason, were called Elus. But, on acquiring a permanent charge on the seignorial tailles, Charles assumed the power of nominating those officers, and changed their title into that of Elus Royaux. It was the ill-omened intimation of an unwelcome novelty. The irresponsible power of apportioning the tailles among the various fiefs and contributors became thenceforward the fertile source of many abuses. The grievance was augmented by the delegation to the Elus Royaux of a judicial authority in all fiscal cases between the king and the tax-payers. The executive and the judicial functions, in these cases, were thus united in the same hands; and the ordinary judges were superseded precisely on those occasions on which their arbitrament was most requisite for the protection of the people.

The people were, nevertheless, well content. With the natural and simple instinct which rejoices in immediate relief, and is not embarrassed with the foresight of future and doubtful contingencies, they regarded as a most beneficial measure the law which delivered them from the insupportable tyranny of the disbanded soldiers, who had so long roamed like so many hungry wolves over the land, but who, as members of a regular and well-paid army, were thereafter to become subject to law and to military discipline. The songs of those times—then, as at all times, the best criterion of the state of public feeling in France—celebrate the deliverance of Jacques Bonhomme, by this royal ordinance, from the tyranny of the Brabançons and from the injustice of the seigneurs.

Even at that time there were probably in France some persons thoughtful and enlightened enough to perceive that the permanent intervention of the Tiers Etât in the government of the kingdom was essential to the public good. But it was an opinion which as yet had struck no deep roots in the minds of the people at large. The cruel and desolating invasions of the Plantagenets during open war, and the outrages of their disbanded troops during each successive truce, had plunged the greater part of France into miseries which, by limiting the hopes of the people to an immediate deliverance from those sufferings, rendered them indifferent to the sacrifices by which that relief was to be obtained.

The administration of the government of Charles VII. was, as I have said, the combined result of many concurrent influences upon the mind of a prince peculiarly susceptible of the control of spirits more audacious, and of understandings of greater capacity than his own. Louis XI., his son and successor, on the contrary, gave an eminent, and perhaps a repulsive example of a mind so relying on its own inherent vigor as neither to receive nor to desire the support of any external sympathies. Historical portraits, whether drawn by the writers of historical romance or of romantic history, are rarely entitled to the praise of being faithful likenesses; yet no one can doubt the general fidelity of the pictures of Louis XI., which have been bequeathed to us by the two great masters of those arts—by Sir Walter Scott and by Philip de Comines. The reason of their success probably is, that the outline or mere surface of the character of Louis was so singular and so strongly marked that its features could not be mistaken by the humblest limner; while, in discovering the harmony and the reconcilement of them all, genius such as theirs found an appropriate and a worthy exercise.

It was the pleasure and the habit of Louis to be even ostentatiously exempt from those dependencies on other men, or on any outward things, by which ordinary sovereigns are sustained. He delighted to show that, in his person, royalty could not only exist, but flourish, without the aid of the external majesty of the crown. Except St. Louis, he was the first, as, indeed (with the solitary exception of Louis Philippe), he is still the only king of France whose mind was ever prepared

for the duties of that high station by any course of severe and systematic study. Before he ascended the throne of his ancestors, he had profoundly meditated the great Italian authors, and the institutions and maxims of the Italian republics. From those lessons he had derived a low esteem of his fellow-men, and especially of those among them upon whom wealth, and rank, and power had descended as an hereditary birthright. That sentiment had been cherished by his early and intimate intercourse with such of the French nobility as were his associates in his revolt against his father. It was his pleasure to assume the manners and appearance of a roturier, and to court the society of persons of that class in preference to any other. Nor was this a mere affectation—a mock humility, designed to enhance his real greatness by a pretended repudiation of it. He not only assumed the dress and manners of an obscure merchant, but was seriously, and even eagerly inquisitive about all mercantile affairs, habitually consulting and conversing with traders and mechanics, and busying himself about shipping, and manufactures, and mines, and high-roads, and markets, without feeling, or affecting to feel, any military ardor, or any desire for the glory which is to be conquered only in the field. His favorites, and even his chief counselors, were men of vulgar address and of menial occupations.

And yet there was nothing base or unkingly in the spirit of Louis. He clearly understood, and pursued with inflexible steadfastness of purpose, the elevation of his country and the grandeur of his own royal house and lineage; but he pursued them with a torpid imagination, a cold heart, and a ruthless will. He regarded mankind as a physiologist contemplates the living subjects of his science, or as a chess-player surveys the pieces on his board. They were, in his eyes, but the materials on which his skill was to be employed; not brethren, of whose good or evil fortunes he must himself be the partaker. With no apparent delight in human suffering, he appears to have been altogether unmoved by the miseries he inflicted. With no distinct preference for tortuous over direct courses, he unscrupulously practiced deceit whenever it seemed best to answer his immediate purpose, and apparently enjoyed the occupation of weaving for his enemies toils at once too fine to be detected and too strong to be escaped.

It has been said of Louis XI., that the appearance of the men of the Revolution of 1789 first made him intelligible. Before that era, the world had been sufficiently familiar with selfish tyrants, but had seldom seen, and had never understood, a pitiless innovator. Louis was the first of the terrible Ideologists of France—of that class of men who, to enthrone an idolized idea, will offer whole hecatombs of human sacrifices at the shrine of their idol. The Idéa of Louis was that of leveling all powers in the state, in order that the administration of the affairs, the possession of the wealth, and the enjoyment of the honors of his kingdom might be grasped by himself and his successors as their solitary and unrivaled dominion.

The feeble superstition which was united to this relentless inflexibility of ambition was not incongruous with it, but the reverse. When a will so resolute, and an intellect so perspicacious as his have surrendered the whole man, with all his powers, to the pursuits of this transitory world, the mysterious powers of the world of spirits and of the world to come will haunt the fevered fancy and oppress the burdened conscience with terrors which the mind has not either the leisure to analyze or the composure to interrogate. The leaden images or amulets borne by Louis on his person were but so many varieties of those mystic spells which Julius recognized in the flight of birds, and Napoleon in the Sun of Austerlitz.

Louis may be considered as having been the living solution of the problem—What is the greatest amount of mental sagacity which can be combined with the smallest amount of human sympathy? or of the problem—What is that point at which selfishness darkens the clearest vision, and defeats the most subtle scrutiny into the secrets of other minds? Lacking the wisdom of love, he was, at length, but seeming wise. His understanding, though almost preternaturally acute, was continually baffled from his want of that magnetic chord which in guileless bosoms vibrates to every genuine feeling, and interprets every honest motive of those with whom they have to do.

Once, and only once, during his reign of twenty-two years, did Louis XI. convene the States-General of his kingdom; nor does any incident of his life afford a more curious illustration of the peculiarities of his character than is afforded by his management of that assembly.

Before his accession to the throne, all the great fiefs into which France had been divided under the earlier Capetian kings had, with the exception of Bretagne, been either annexed to the royal domain, or reduced to a state of dependence on the crown. But, under the name of Apanages, these ancient divisions of the kingdom into separate principalities had reappeared. The territorial feudalism of the Middle Ages seemed to be reviving in the persons of the younger branches of the royal house. The Dukes of Burgundy had thus become the rulers of a state which, under the government of more politic princes, might readily, in fulfillment of their desires, have attained the rank of an independent kingdom. The Duke of Bretagne, still asserting the peculiar privileges of his duchy, was rather an ally than a subject of the King of France. Charles, duke of Berri, the brother of Louis, aspired to the possession of the same advantages. And these three great territorial potentates, in alliance with the Duc de Bourbon and the Comte de St. Pol, the brothers-in-law of Louis and of his queen, united together to form that confederacy against him to which they gave the very inappropriate title of La Ligue du Bien Public. It was, however, a title which recognized the growing strength of the Tiers Etât, and of that public opinion to which the Tiers Etât at once gave utterance and imparted authority. Selfish ambition was thus compelled to assume the mask of patriotism. The princes veiled their insatiable appetite for their own personal advantages under the popular and plausible demands of administrative reforms —of the reduction of imposts—of the government of the people by their representatives—and, consequently, of the convocation of the States-General.

To these pretensions Louis was unable to make any effectual resistance. At the commencement of his reign he had imposed on his subjects a series of exactions as illegal as they were burdensome, and the Leaguers had therefore, in the commonalty of France, allies who, for the moment, rendered them irresistible. The king consequently yielded, or appeared to yield, to the necessity of his condition. He assented, in terms at least, to all the demands of his antagonists. He granted to the Duke of Berri the duchy of Normandy as an apanage transmissible in perpetuity to his male heirs. He

promised to revoke all the fiscal laws against which the Leaguers and the people had protested. He bound himself to form a council of government, to be composed of members of the University, of the Parliament, and of the Bourgeoisie of Paris. He admitted the claims of his opponents for governments, privileges, and dignities almost as promptly as they advanced them; and, that nothing might be wanting, he signed at Conflans a treaty, by which he solemnly pledged himself to the observance of these engagements. The confederates then laid down their arms. The wily monarch bided his time. He had bestowed on them advantages which he well knew would destroy their popularity and so subvert the basis of their power, and which he also knew the state of public opinion would not allow them to retain. To wrest those advantages from their hands, it was only necessary to comply with their last stipulation, and to convene the States-General.

They met accordingly, at Tours, on the 6th of April, 1468. The leaders of the Ligue du Bien Public absented themselves, distrusting probably, when too late, the policy which had induced them to invoke the appearance of such formidable auxiliaries. In the whole design, and ceremonial, and procedure of the assembly, they might indeed trace, with just suspicion and anxiety, the working of the subtle spirit of their crafty king. The elections, as some maintain, had been so conducted, that the same persons were every where chosen to represent at once the Noblesse, the Clergy, and the Bourgeois. The king (says Comines) had taken great care that such deputies only should be elected as were satisfactory to himself, that so he might be assisted and not embarrassed by them. Many of them were persons of low degree, and some were apparently mechanics. The hall of meeting was so arranged that the deputies of each of the three orders sat promiscuously together, and deliberated and voted in common. The utmost freedom of speech was conceded to them, and every democratic pretension was received by Louis with marked and studied deference. He judged it impossible to give too great a weight or too keen an edge to the weapon which he was about to turn against his adversaries.

The deliberations were then opened. The chancellor delivered a homily on the decline of passive obedience, founded on

the book and the example of Joshua. "The king," says the chronicler, "in his own person and in his own words, made a clear and notable summary of the questions then depending, with respect to the duchy of Normandy, which his brother, my Lord Charles, proposed to take for his apanage; and the king said that he was unwilling to decide in his own favor in a cause and quarrel in which he was himself engaged, and did not think it right to assume that, in such a controversy, he could of himself distinguish what was right and equitable, and therefore he protested that he was altogether insufficient for the decision of such a cause, but referred it to them as a cause touching the welfare of the whole kingdom."

After listening to this extraordinary manifestation of the royal diffidence and humility, an orator arose who, one might conjecture from his style and his similes, belonged to that worshipful society of barber-surgeons for whom Louis had so strange a predilection. "States and men," he said, "were in common liable to three mortal maladies—the loss of a limb, a burning fever, and a hemorrhage. A state labored under the first of these diseases when any of her provinces were taken away; under the second, when she was harassed by disbanded soldiers and tax-gatherers; under the third, when drained of her money by remittances to Rome, or by the purchase of foreign luxuries." To this diagnosis of the maladies of France he added the following therapeutic advice: "Let the grant of Normandy to the Duke of Berri be canceled. Let the soldiery be compelled to obey the Ordonnance sur la Gendarmerie. Let the taxes be made uniform, and the salt tax reduced. Let the Pragmatic Sanction be re-established. Let sumptuary laws be enacted; and let all parts of exorbitant pensions be revoked."

One is compelled to regret the now irreparable loss of the name of a speaker who could express himself so pithily and so much to the purpose; but the reporters of those days, more parsimonious than in our own, have suppressed it, and with it all the other speeches delivered at the States-General of Tours of 1468, although eight successive days appear to have been passed in pronouncing and in listening to them. Boulainvilliers indeed declares, with the aristocratic indignation with which all the sayings and doings of this plebeian assemblage affected him, that the usual decorum of such meetings

gave place to tumultuary acclamations, in which no heed was given to the voices of the nobles, nor to those of any individual members. But, however little we can ascertain what they said, there is no doubt at all as to what they did.

First; they resolved that "for no earthly consideration, whether favor or brotherly kindness, or the obligations of a promise, or the convenience of making such a settlement, or fear, or the threat of war, or regard to any temporal evil, could the king acquiesce in the separation from his crown of the duchy of Normandy, or in the transfer of it into the hands of any man living from his own." Secondly; they declared that my Lord Charles ought to be satisfied with an apanage of 12,000 livres of annual rent, and with a titular dukedom or earldom; but that, as the king was pleased to augment it to 60,000 livres, he ought to be very grateful. Thirdly; they decided that the Duke of Brittany, who was exciting disturbances in the kingdom and contracting alliances with the English, ought to be summoned to surrender the cities of which he had possessed himself, or driven from them by force if necessary—the clergy promising to promote the success of any such measures by their prayers—the two other orders pledging their persons and their property for the advancement of them. And, finally, the States resolved that an embassy should be sent to the Duke of Burgundy, to invite him to concur with the king in the establishment of justice and order throughout the realm.

Thus far the deputies had labored for the support of the royal authority against the confederates of the Ligue du Bien Public. It remained that they should attempt something for the benefit of their own constituents. They therefore represented to Louis that his troops were ill disciplined; that justice was ill administered; and that the public finances were ill regulated. The admonition was received not only with courtesy, but with the most edifying meekness. The seditions provoked by his enemies had, as he acknowledged and deplored, given birth to the abuses of which they complained; and, that they might be effectually remedied, he invited the States-General themselves to nominate commissioners to be employed in the great work of reformation. Shouts of grateful applause welcomed the proposal. Who could doubt that the task of correcting misgovernment was already in effect accomplished,

when delegates of the representatives of the people were called, by the king himself, to the discharge of it? The States-General of 1468 were therefore dissolved, but not till they had first selected the commissioners of public reformation. It is almost superfluous to add, that the commission attempted little, and effected nothing.

Louis himself, however, had accomplished all the objects for which he had hazarded the convention of the three orders of his people. The Duke of Berri resigned his apanage. The Duke of Brittany abandoned his English alliance. Louis resumed all the grants which distress had extorted from him. For those advantages he was indebted to the formidable auxiliaries with whom he had just parted. Subservient as they had been, they had given proofs of a moral power, with which, if their temper should change, it might be perilous to contend. The wily monarch descended to the grave without affording them another opportunity of engaging in such a contest.

Few of the sovereigns of France have contributed so much to her permanent greatness as Louis XI., and none ever died amid a more universal unpopularity or more bitter resentments. His offenses were of that class for which Frenchmen have the least toleration. Cruel, crafty, and cold-hearted, he wounded the moral sense of his people, without being able to kindle their imagination, even when he promoted their aggrandizement. His death brought to an end a protracted and merciless reign of terror. The princes of his house quitted the dungeons in which they had been taught to acknowledge and to lament the extinction of the boundless privileges which had been so long attached to the blood royal of France. The noblesse once more breathed freely, and indulged the hope that they should not again see their order subordinated to base-born usurpers of the high offices of the state, nor have to mourn the ignominious destruction, on the scaffold, of families which traced their lineage through the most ancient of the peers and the greatest of the feudatories of the kingdom. The army anticipated a time when French soldiers should no longer be superseded in the highest and most honorable services by Scotch or Swiss mercenaries, nor condemned to waste their martial energies in an inglorious repose. The peasantry, still groaning beneath the unmitigated oppressions to which they

had so long been subject, had at least nothing to regret from the loss of their king, as indeed they had nothing to hope from his successor. Yet, by two classes of his subjects, though by them alone, Louis was probably lamented. The Bourgeois lost in him the most zealous promoter of their commercial interests who had ever filled the throne of France; while, by his death, the men of letters and of enlightened intellects were deprived of an associate whom they regarded, if with fear and mistrust, yet with genuine and unbounded admiration. From the memoirs of Philippe de Comines we may learn how profound was the impression made by Louis on the few who were capable of appreciating the wealth and the variety of his mental resources, and of following the eagle glance with which he penetrated the folds of the human heart and the labyrinths of human policy.

Louis was gathered to his fathers on the 30th of August, 1483, and Charles, his only son, a boy of little more than thirteen years of age, reigned in his stead. His mother died four months later; and the administration of the government, in the name of the young king, was a prize disputed between three principal competitors. They were, first, his eldest sister Anne, the Lady of Beaujeu, so named as being the wife of the Sire de Beaujeu, a younger son of the house of Bourbon, and therefore, though very remotely, a prince of the blood royal. The second aspirant to the virtual regency was the Duke of Bourbon, the elder brother of Beaujeu, and therefore, of course, bearing the same relation to the reigning family. The Duke of Orleans, who was at once the presumptive heir to the crown and the husband of Jane, the younger sister of Charles, was the third of the candidates for that dignity. His cousin, the Duc d'Angoulême, the next in the line of succession, was content to wave his own less considerable pretensions.

This controversy was at first settled by the kinsmen and courtiers of Charles between themselves, in favor of the Duke of Bourbon, who accordingly received from the young king the offices of Constable and Lieutenant General of France. But Bourbon was grievously afflicted with the gout, and proved a feeble and incapable administrator of affairs of so much weight and difficulty. Alarms of war from Austria and England, combining with internal distress and popular discontent—

those chronic maladies of France—enhanced at once the perplexities of Bourbon and the ambitious hopes of his competitors for power. When, therefore, the voice of the nation at large demanded that the States-General should be convened, to place the government of France on a surer basis, the kindred and the ministers of Charles had neither the power nor the wish to oppose any obstacle to a measure by which alone, as it was universally believed, the nation could be rescued from the embarrassments in which it was involved, and from the yet greater evils with which it was threatened.

The States-General of France were, for these reasons, again convened at Tours, where they met in January of the year 1484, if the year be considered as commencing in that month, or of the year 1483, if, according to the habits of those times, Easter be considered as the commencement of the year. Their proceedings, whether we have regard to their tone and character or to their immediate results, constitute the most important passage in the history of such assemblies.

Hitherto the States-General had met in times of comparative intellectual darkness; but now might be distinctly perceived the dawn of that day which, in the following century, was to burst in its full radiance on the nations of Western Europe. In Italy, indeed, it had already risen, and had illuminated that hereditary land of genius, not only with poetry, and art, and literature, but with philosophy also. Even the papal chair had been filled by some of the most accomplished scholars and most profound thinkers of that age. Cosmo de Medici had combined in his own person all the munificence of a princely merchant, and all the magnanimity and wisdom of a patriot prince. If in France itself neither poetry nor history had given birth to any immortal works, they had at least, under the humbler forms of fable and romance, called the national mind into active exercise. Froissart and Monstrelet had recorded the feats of arms of their own days, as they would have told of the achievements of Amadis of Gaul or of Amadis of Spain; while another race of authors, taking Livy for their model, had invested the warriors of Charles V. and of Charles VII. with the demeanor of Roman consuls and with the rhetoric of the Roman Forum. Commerce also had begun to teach her lessons of comprehensive philanthropy.

And Wickliffe, and Huss, and Jerome of Prague, had so widely diffused their opinions, that, even in France, the Church of Rome, awakening from her fancied security, was attempting to arrest the progress of knowledge and of truth by her habitual and her sharpest weapons of persecution.

How powerful was the combined influence of all these causes on the States-General of 1484 may be learned from the Procés Verbal of their proceedings, for which we are indebted to Masselin, who was at once a canon of the cathedral church of Rouen and among the most zealous of the deputies attached to the popular cause at that assembly. From him we gather that so brilliant a convention of the representatives of the people of France had never before been brought together. On an elevated stage or platform, erected in the great hall of the episcopal palace of Tours, sat the young king, surrounded to the right and left by the constable, the chancellor, and the other great officers of state; behind whom sat two cardinals, with the six ecclesiastical peers, and the princes of the blood royal as representatives of the six lay peers; behind whom, again, stood twenty nobles of the highest rank. In front of this royal and princely assemblage rose two semicircular benches, on the foremost of which were ranged such of the deputies as belonged to the two privileged orders, the hindermost being occupied by such of the deputies as were themselves bourgeois. A picture of the hall thus apportioned among the various sections of the assembly has been repeatedly published, to illustrate and support the theory of some recent historians, that it formed a visible adumbration of the Legislature convened under the charter of 1814, of which the king, the Chamber of Peers, and the Chamber of Deputies were all component and indispensable elements. If so, the type and the antitype were at least so far alike, that they were almost equally transitory.

A less doubtful analogy between the two assemblies may be found in the presence in each of men of literary renown. Measureless, indeed, is the interval between the illustrious authors who imparted dignity to the national representation under Louis XVIII. and their predecessors who sat among the deputies convened at the episcopal palace of Tours by Charles VIII. Yet Theology was represented there by Cirey and by

John de Villiers—the Humanities by De la Souze—Astronomy by Denys de Bar—Poetry by John Meschineau—and History by Masselin himself: worthy representatives of those various faculties, as, on the report of others, I willingly believe; but, whether worthy or unworthy, memorable as illustrations of the fact that nearly 400 years ago France assigned to her intellectual aristocracy the same share as at the present day in the conduct of her most arduous political affairs.

Another resemblance between Frenchmen of that remote age and their descendants in comparatively modern times may be discovered in the speech with which the Chancellor of France opened the sessions of the States-General of 1484. He paid to their native land that tribute of admiration by which that patriotic race have ever fed their national self-esteem, and he contrasted French loyalty with English sedition in terms like those in which Frenchmen have ever since nourished their vindictive hatred and contempt for their neighbors. The speaker then passed on to the praises of their young king, whom, with curious infelicity of phrase, he described as "Solomon the Pacific," whose wisdom was, he said, exhibited by his early wish to meet his subjects, to make known to them the state of his kingdom, and to associate them to himself in the management of its affairs. "He entertained not so much as a thought of putting his royal hands into their pockets. He would maintain his government by means of his royal domain, and would ask no pecuniary aid from them, unless, indeed (as it *might* happen), such a request should be dictated by necessity, and by his zeal for the public good."

It appears that two hundred and forty-six deputies listened, or that, at least, so many were entitled to listen, to these honeyed words; and from Masselin we learn that no one of those deputies had been elected by the members of any single order alone, but that, in their respective counties, bailliages, or sénéchaussées, the clergy, the nobles, and the bourgeois had all joined together to elect members to represent them in common. If the fact be so, it is the more easy to understand the motives of another remarkable innovation. The deputies agreed to deliberate, not in separate orders, but collectively; that is, they resolved themselves into six bureaux, corresponding with the six *nations* into which France was then consid-

ered as divisible; the "nations," namely, of Paris, or the duchy of France, of Normandy, of Burgundy, of Aquitaine, of Languedoc, and of Languedoïl. By each of those bureaux was to be prepared a cahier of grievances; and the six cahiers were then to be decomposed, and remolded into one general cahier, by a committee of thirty-six deputies, whose report was afterward to be adopted or amended by the collective States-General.

Within the narrow limits of time to which I am unavoidably confined, I can not exhibit even an epitome of the subsequent proceedings, which Masselin has recorded at great length, except by attempting to abbreviate the various demands comprised in the ultimate or general cahier, and the various answers which, in the name of the young king, were returned to them.

First, then, by the Pragmatic Sanction of Bruges, Charles VII. had reserved to the kings of France what have been so inappropriately called the liberties of the Gallican Church; that is, the right of the crown to nominate both the bishops and other great benefices, and to prevent the remittance of money to Rome. Louis XI. had abandoned and revoked this royal ordinance. The States-General now demanded the re-establishment of it. The royal answer, in substance, was, that any farther legislation on the subject would be superfluous, because the Gallican liberties were sufficiently secured by the general and permanent laws of the realm, from which no particular enactment could derogate, and to which no such enactment could add any new strength.

Secondly. The Noblesse demanded that the Ban and Arrière Ban should be less frequently called out; that time should be allowed them for redeeming the debts with which the exigencies of the war had compelled them to burden their estates; that they should be restored to their ancient rights of the chase; and that all foreigners should be excluded, in their favor, from military commands, and from the government of any of the cities or fortresses of France. To these claims the king's unqualified assent was given.

Thirdly. The complaints of the Commons were preferred in terms so simple and pathetic that I regret the necessity for confining myself to a brief quotation from them. They said

that "during the last thirty-four years the king's troops have been continually passing and repassing through every part of France—now the gendarmerie, then the noblesse of the Ban—at one time the French archers, at another the hallebardiers—sometimes the Swiss, and sometimes the pikemen—but all in turns living on the poor people. Though hired to prevent oppression, they are themselves the most grievous of all oppressors. The poor laborer must pay for the hire of the man who beats him, who turns him out of his house, who carries off his substance, and who compels him to lie on the bare earth. When the poor man has with extreme difficulty, and by the sale of the coat on his back, managed to pay his taille, and is comforting himself with the hope that he may live out the year on the little he has left, then comes a new troop of soldiers, eating and destroying that little; and, not satisfied with what they find in the poor man's cottage, compelling him with heavy blows to seek in the town for wine, for white bread, for fish, for groceries, and for other extravagances; so that, if God did not comfort the poor man, and give him patience, he would fall into utter despair. In Normandy a great and countless multitude have died of hunger; others, in despair, have killed their wives, their children, and themselves. From the want of beasts of labor, men, women, and children there are compelled to yoke themselves to the carts; and others, fearing that if seen in the daytime they will be seized for non-payment of their taille, are compelled to labor through the night: all which things being considered, it seemeth to the States-General that the king ought to have pity on his poor people, and ought to relieve them from the said tailles and charges."

With this pathetic preface the States-General demanded of the king that all the alienated parts of the royal domain might be resumed; that all useless offices might be suppressed; that the pension list might be retrenched, and the army diminished. The cry of misery was, however, but little heeded by those who then dictated the answers from the throne. They promised nothing except that due care should be taken to resume the alienated parts of the royal domain.

Fourthly came the demands for judicial reformations. The States-General proposed that the judges should hold their offices for life; that on each vacancy in their number the remain-

ing judges should nominate three candidates, from whom one should be chosen by the king; that the number of judicial offices should be diminished; that they should be no longer venal; that the king should no longer *evoke* causes from their natural judges, and transfer them to special commissioners; that the customs of the realm should be ascertained and reduced to writing; that all suitors might be allowed to appear by their procureurs; and that no implement (animate or inanimate) of agricultural labor should be liable to seizure on any process from the courts of justice. To all these demands, except those which related to the number and the sale of judicial offices, the king promised to accede.

Fifthly. With regard to commerce, the States-General demanded, with no very apparent consistency, first, that there should be a perfect freedom of trade within the realm; and, secondly, that those frontier fairs and markets should be suppressed, by means of which the foreigner introduced his wares into France. To either branch of this commercial policy, the restrictive as well as the liberal, the States were assured of the royal adhesion.

Such were the grievances of which they sought the redress, and such the assurances which they received of their removal. It remained to determine what were the pecuniary aids by which they were willing to purchase these advantages. I pass over reluctantly, but unavoidably, the long debates which preceded their ultimate decision. But the terms of that decision are too important to be omitted. The States declared that, for the assistance of the king in his great affairs, and for the payment of his troops, they would give him, as a free and gratuitous grant, but not on any other ground, the same sum as was annually raised for the support of the government of Charles VII. (that is, as we have already seen, 1,200,000 livres per annum); but that this grant was to be in force during two years only. Farther, as a special gratification, they voted an additional 300,000 livres, payable during one year only. But they at the same time requested that he would be pleased to convene and hold the States-General of France within the next two years, at whatever time and place he might see fit, and that he would immediately declare what that time and place should be, "inasmuch as the said States-General expected that

thenceforward no taxes would be imposed on the people until they should have been convened and consulted on the subject, nor unless the imposition of such taxes should be made with their free will and consent, as the guardians and keepers of the liberties and privileges of the realm."

These grants were of course accepted. It is almost as much of course to add, that the conditions on which they were thus made were *not* observed by the royal grantee. It seems, indeed, that they were not even noticed in his answer.

Charles was a boy in his fourteenth year, of feeble health, and so little qualified to sustain either the mental or the bodily labor of governing a great nation, that he was compelled, by sheer fatigue, to break up prematurely the royal session for receiving the cahier of the States-General. After little more than two hours had been passed in reading it to him, it became evident that his strength was exhausted, and that the chair on which he reposed was as capable as himself of understanding the language of the representatives of his people.

To those representatives, as to the princes of his house, the fiction that such a youth was of full age, and competent to reign in his own person, had from the first appeared in its true absurdity, nor did they even affect to yield any deference to it. They openly and avowedly debated to whom the real regency of the kingdom should be intrusted.

It was at that time actually in the hands of the Lady of Beaujeu. It was apparently vested in a council of fifteen, composed of the princes of the blood, and of several of the former ministers of Louis XI. But that council was itself divided into two parties; the one in the interest of the Bourbons, the other attached to the Duke of Orleans. To throw the whole preponderance of authority into the hands of the duke, the president of the States-General (one of his partisans) proposed that the administration of the government should be committed to a council of twenty-four; that is, of nine persons to be selected by the States-General themselves, in addition to the fifteen who were actually seated there; that the choice of the nine should be made by each of the six "nations," but that the Parisians (who were Orleanists) should be allowed to choose a greater number than any other "nation," in proportion to their superiority in wealth and population to any other.

To avoid this disparity, the other five "nations" concurred in a resolution to establish a council of twenty-six, and, for that purpose, to reduce the fifteen actual counselors to eight, and to add to the eight eighteen more, of whom each of the six "nations" was to elect three. Orleans, or his adherents in the States-General, and especially the Parisian party, opposed this project by an unqualified denial of the right of that assembly to interfere at all in the nomination of a regent. They maintained that, in the case of the incapacity of the king, the princes of the blood, and especially the heir presumptive to the crown, had an inherent right to assume the provisional exercise of the kingly office.

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1484
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There is, indeed, no new thing under the sun. When, in the year 1788, the Prince of Wales, by his friends in the House of Commons, claimed, as of right, the regency of Great Britain, the indignant and democratic protest of William Pitt might have passed for an imitation of that which, in the year 1484, had been made, in the States-General of France, by Philip Pot, against the corresponding pretensions of the Duke of Orleans.

After denying the existence of any law which devolved the government of France on the princes of the blood during the minority or incapacity of the king, and after observing that the very expression, "princes of the blood," was susceptible of many different meanings, Pot exclaimed, "Above every thing else be assured, that to the people, and to them alone, it belongs to determine any question affecting the welfare of the commonwealth at large; that the government of it has been confided to our kings by the people; and that they who have possessed themselves of that power by any other means than the consent of the people, are nothing else than tyrants and usurpers. It being evident that our king is unable to govern the state in his own person, the government of it reverts to the people from whom he received it, that so they may resume that which is their own. By the people I do not mean the populace, or merely the commons of the realm, but all Frenchmen of every condition. Even so, under the name of the States-General, I mean to comprise the princes themselves; nor do I regard any inhabitant of France as excluded from the meaning of that comprehensive term."

The regency debates in France, as in England, were both long and tedious. In the progress of them the States-General were about to resolve on a joint regency, to be divided between the Duke of Orleans and the Lady of Beaujeu; a measure which, combined with that of a council of twenty-six, would have placed the real administration in the hands of the eighteen selected deputies, to the exclusion both of the princely and of the Parisian aspirants. In an evil moment for his own ambition, Orleans attempted to parry this attempt by a message to the States, in which he advised them to interfere no farther than by merely adopting a resolution that the Sire and the Lady of Beaujeu should retain the position which they had occupied near the person of the king. To this advice the Beaujeu or Bourbon party gladly, though with affected reluctance, gave in their adhesion. The deputies, finding that the princes were thus at length unanimous, adopted the advice of the Duke of Orleans, though not without the ardent resistance of the "nations" of Normandy and Burgundy.

The cahier, so far as respected the regency, was therefore drawn up as follows: It acknowledged the competency of the king to dispatch all the public business, so long as he should act in conformity with the advice of his council. It requested him to preside as often as possible at their deliberations, that he might be trained betimes to the conduct of affairs. In his absence the Duke of Orleans was to preside. In the absence of Orleans, the presidency was to belong to the Duke of Bourbon. In the absence of both dukes, it was to pass to the Sire de Beaujeu. The other princes of the blood were to sit and vote in the council according to their rank. Twelve additional counselors were to be selected from the six "nations," but the selection was to be made by the king and the princes. M. de Sismondi shall explain the real character and effect of this policy.

"The deputies," he says, "had risen to the height of the loftiest and the noblest constitutional principles. But, after having announced that the whole sovereign power was their own, they abandoned themselves to the guidance of chance, by remitting that power into the hands of a child, without appointing for him a regent, a council, or a tutor. After having resolved that the nations should be represented in the Royal

Council by at least twelve members of the States, they abandoned the choice of those members to the king himself; a decision dictated by the narrow and selfish calculations of the section of Paris, which doubted not that the royal choice would fall on some of the inhabitants of their own city."

The States-General of Tours were then dissolved. Anne of Beaujeu became the undisputed, though not the nominal regent of France. To the demands of the deputies, that no duties should be raised without their consent, and that they should be again convened within two years, no answer whatever had been returned. Before one of those years was over, the chronic disease of the royal government of France reappeared. The revenue was again insufficient to meet the exigencies of the public service. In the name of the young king, the Lady of Beaujeu therefore promulgated an ordinance rendering permanent the additional revenue of 300,000 livres, which the States had expressly limited to a single year. After the lapse of the two years, during which alone the States had authorized the levying the tailles, she promulgated another ordinance, authorizing the continued exaction of them. She required the Parliament of Paris to register these ordinances, and they immediately obeyed. Thus, by the mere registration by a court of justice of a royal ordinance, and without any other formality, the property of the people at large was brought within the grasp of their sovereign. This great revolution was effected silently, without resistance, and, as it might seem, without notice, at the very moment when the most powerful assembly of the States-General which France had ever seen had asserted, as an incontrovertible principle, that no taxes could be levied on the people of France except with the consent of their representatives. The king had thus become the single and the absolute legislator in all fiscal matters; for, at this period, the Parliament of Paris had not asserted their pretension to represent the States-General of the nation during the intervals of their successive assemblies. They did not then even claim the right of remonstrance. The University of Paris, indeed, requested them to assert that right; but their answer, as quoted by Parquier, was, that it was their office not to solicit justice, but to do justice; and that, in a case where they were judges, they could not degrade themselves by becoming suitors.

We have already had occasion to see how much, in later times, the Parliament of Paris elevated their tone, and enlarged their sphere of action with regard to royal ordinances. But their subserviency to Anne of Beaujeu frustrated all the labors of the States-General of Tours. Eighty years rolled away before France ever witnessed another free assembly of the representatives of the people. In that period the monarchy had, in the fullest sense of the word, become absolute. After the lapse of other centuries, the Parliament of Paris, reversing the decision of their predecessors, discovered and declared their own incompetency to register any of the fiscal edicts of Louis XVI. There are, even yet, some surviving among us who remember the commencement of the convulsions which immediately followed. It is doubtful whether there is among us any one who will live long enough to witness their effectual termination.

Dec. 22. 1852.

LECTURE XII.

ON THE STATES-GENERAL OF THE SIXTEENTH CENTURY.

Suppose a man, thoroughly conversant with the histories of Greece and of Rome, and not unacquainted with that of England, but profoundly ignorant of the history of France (the supposition is not really so extravagant as it may sound)—suppose such a man to be told that, from the year 1302 till the year 1789, the acknowledged law and constitution of that kingdom had confided the right of imposing taxes, for the support of the government, to an elective assembly fairly representing the clergy, the nobility, and the commons of the realm, and to that assembly alone—that, in point of fact, such an assembly had been convened at every great crisis of the national fortunes throughout the three first centuries of its existence, and not seldom, during that period, from year to year—that, at different epochs, such assemblies had made or sanctioned innovations of the utmost importance both in the polity and in the policy of the state—that this part of the national constitution, though frequently allowed to fall into disuse, had never become

obsolete, but had always lived in the memories and in the hearts of the people; and yet, that, in the immediate vicinity, and under the shelter of it, had grown up a despotism, bearing to that of Turkey a resemblance as close as can subsist between the governments of the most and of the least civilized of the members of the great community of nations. Who can doubt that such an auditor would consider such a statement merely as a fiction, alike incredible and dull? Yet, if our supposed skeptic, being provoked to search for himself, should find that the narrative was strictly true, and should be compelled to admit the real coexistence of social phenomena, in appearance so contradictory, he might still be reasonably curious and perplexed to discover the reconcilement of them. To a certain extent, I have already attempted to suggest it, and I am now about to offer such farther explanations as the proceedings of the States-General in the sixteenth century seem to require. But, before we advance to that subject, it may be convenient to take a brief retrospect of the progress which we have already made.

Under the guidance of Le Cocq and the patronage of Marcel, the States of the reign of John had anticipated the ideas of the great revolution. The Convention itself did not proclaim more distinctly the dogmas of political equality, unity, and uniformity. The people were hailed as "sovereign," with equal enthusiasm, by their representatives at either epoch. To convert the States-General into a permanent national assembly, and to centralize all the powers of the government at Paris, were maxims inculcated and acted upon with the same zeal in the fourteenth and in the eighteenth centuries. In the earlier as well as in the later of those ages, they had their cap of liberty and their new national flag, the only difference being that those emblems of popular dominion were distinguished at first, not by three colors, but by two. And, as if to complete the resemblance between the Parisians of the time of John and those of the time of Louis XIV., the first had their Philippe Egalité in the person of the King of Navarre, as they would have had their Robespierre also in the person of Marcel, if the Dauphin Charles had been of the temper of his successor.

From this singular parallelism some modern French writers, of no vulgar authority, have drawn the conclusion that Le

Cocq and Marcel, and their associates, were what is called in France "grands organisateurs"—constitution makers, that is, not unworthy to be ranked with those ephemeral French republics and monarchies which have so often appeared and disappeared during the last sixty years. I have no disposition to dissent from this eulogium; but the inference which I should deduce from it is, not that the innovators of the fourteenth century were men eminent for their understanding or for their public spirit, but that "organization" is a science or an art in which eminence may be easily attained by men of ready wits, of shallow minds, and of audacious spirits. It is not, after all, a very difficult problem how to decompose human society into its elements. Nor is it a very arduous task to rearrange those elements on the naked principle of subordinating every member and every movement of the state to the physical force and the arbitrary will of the multitude. A great deal of hardihood united to but a slender reach and combination of thought, may accomplish such ends as these. The real test of political wisdom is found in precisely reversing this process. It aims to produce the greatest attainable amount of good by means of those organs of government which habit has made familiar, and which antiquity has rendered venerable. Tried by this test, Le Cocq was as arrant a sciolist as Siêyes, and Marcel as great a blunderer as Danton.

The revolutionary usurpations of the States-General of John were fatal to the constitutional liberties of France. They drove the friends of order and of peace to seek the fatal shelter of absolute power. When the clergy and the nobles abandoned the States of Paris in July, 1357, their secession secured not merely the ultimate, but the early preponderance of the crown. Within four months from that time many of the chief cities of France had proffered to Charles the aid which the States had refused; and Paris herself at last asserted her wonted pre-eminence over the rest of France by a more abundant zeal in coming with similar offers to the rescue of the regent. Six months later, Le Cocq was impeached for his abuse of his freedom of speech as a deputy; and, within another year, all the royal counselors, whom he had himself impeached, and compelled the Dauphin to dismiss, were publicly reinstated in their offices.

When the Dauphin, under the title of Charles V., ascended the throne, we need not doubt that he brought with him to the administration of affairs an indelible remembrance of the dangers and humiliations of his youth. Nor could that great popular organ of the French government have provoked a more subtle or a more dangerous enemy; for Charles had learned in adversity some lessons, not perhaps of wisdom, but at least of foresight and prudence. He had been taught to dread a direct conflict with the national representatives, and had discovered that it was easier to undermine their constitution than to resist their power. His hostility to them was, therefore, conducted and veiled under the form of an innovation, which studiously confounded the States-General either with the Royal Council or with the Parliament of Paris, and which occasionally combined all those three bodies together. During the whole of the reign of Charles V. the deputies were thus yoked with associates more docile than themselves, and more subservient to the royal will, and therefore, at that period, made no attempt to revive the pretensions by which his regency had been agitated.

But when that sagacious and resolute prince made way for his son and successor Charles VI., the claims and the authority of the States-General (assisted by the revolt of the "Maillotins") having revived, they extorted from the new king a formal renunciation of all the novelties introduced since the reign of Philippe le Bel, and an equally formal restitution to the nation at large of all their "franchises, liberties, privileges, and immunities." The battle of Rosbecque, however, enabled Charles, though the feeblest of all the princes of the house of Valois, to gratify the hereditary dread and resentment with which he regarded the States-General, and, during thirty successive years, to suppress their assemblies altogether.

Humbled by these successive defeats, and perhaps rendered forgetful and unconscious of the magnitude of their own powers by this protracted disuse of them, the States-General of December, 1420, enabled the foreign usurper, Henry V., to debase still farther the representation of the French people by lending themselves as his willing instruments in the indignities to which he subjected their unhappy sovereign, and in the cruel wrongs which he inflicted on their constituents.

With the crown of his ancestors Charles VII. inherited the tradition of distrust and antipathy which these proceedings of the States-General during the three preceding reigns had provoked, and might almost seem to have justified. Charles, or rather his minister Le Cœur, was indeed a great and successful "organisateur." But they undertook to organize that precise form of human society which at once the most urgently requires and the most readily admits the exercise of such plastic skill; for he who would mold a national army to the purposes of its existence, has to be guided in that work by the simplest of all laws and by the most obvious of all principles. Implicit obedience is the one rule of conduct, and honor the single spring of action to be taken into his account. Consequently, in the composition and structure of military society, a law-giver may safely, and even wisely adhere, with inflexible rigor, to the rules of what may be called the science of social dynamics. Such was apparently the judgment and the habit of Le Cœur.

The States of Orleans of 1439 seem to have been captivated with the symmetry and the systematic completeness of his military projects. They were delighted with the prospect of the exact discipline to which the lawless men-at-arms were to be subjected by the provisions, at once so peremptory and so comprehensive, of the proposed Ordonnance sur la Gendarmerie. They were either heedless or ignorant of the deep political significance of that great measure. The very instinct of parsimony failed them. They forgot that their proper function was only to supply the deficiency of the king's hereditary revenue or royal domain by "subsidies, aids, subventions, succors," or by whatever other equivalent terms their temporary grants might be called. They overlooked the warning conveyed by the very style and structure of this constitutional phraseology against the error of assigning to the crown any new, permanent, and irrevocable resources. They recklessly placed the purse and the sword, at the same moment, in the hands of the king; not, as it might seem, observing that they were thus emancipating him from their own control, and subjecting themselves and their constituents to the absolute power of their present and of their future sovereigns.

But to Charles himself, and to Louis, his keen-sighted son,

no consequence could be more clearly perceptible. Charles never again summoned the States-General to his assistance; nor did Louis ever convene them except when he needed their support against the princes of his house.

To obtain that support, the subtle monarch assailed them at once on each of the two vulnerable sides of all popular assemblies. He gratified both their plebeian jealousy of the power of the great, and their plebeian thirst for the adulation of the great. He called on *them* to decide whether France should be dismembered in favor of one great prince; whether traitorous alliances should be contracted with England by a second; and whether the royal treasury should be exhausted by a ruinous dotation for a third. Not merely assuming the appearance and manners of a roturier, but contriving to impress a corresponding aspect on all the proceedings of the deputies, Louis, with irresistible lowliness, avowed his own incapacity to determine these great and arduous questions. What wonder that *Adam Fumée* and *Mathurin Baudet*, with the rest of their worshipful brotherhood, immediately resolved to support their unassuming king against the dukes and barons of the Ligue du Bien Public! Or what wonder that, when humbly and courteously requested by him to appoint their own deputies for promoting any reforms which they might think desirable, the Bourgeois, in the exultation of the moment, forgot that, as the misconduct of Louis himself had rendered reformation necessary, so his power, when rescued from any counterpoise of theirs, would as certainly render it impossible! Charles VII. overreached the representatives of the people by splendid schemes, Louis XI. by adroit flatteries. The one conciliated their imagination, the other their vanity. In either case the concentrated powers of a single mind triumphed, as usual, over the discordant passions and purposes of a multitude of minds. They had yet to learn that no such multitude can conduct itself steadfastly or successfully except under the guidance of a single leader and of a recognized head.

The States-General of Charles VIII. came together with ideas far more mature, and with a much more correct appreciation of their duties and of their powers. They were the first assembly of that kind in which all the orders appear to have acted with perfect mutual good understanding. They were

the first which knew how to reconcile a due regard for the liberties of their constituents with a due respect for the authority of the crown. They were the first to whom really great orators addressed eloquent and enlightened expositions of the interest and duties of the various members of the state, and of the relations in which they severally stood to each other. They firmly established both the precedent that it belonged to them to dispose of the royal authority in case of the incapacity of the reigning monarch, and the principle that they possessed that right as representing the people at large, who were the authors, and the ultimate depositaries of all political power. And, finally, they limited their grants to the royal treasury to a very short period; and they did so, not so much from parsimony, as on the constitutional ground and demand that, before the lapse of that period, they should be reassembled, and resume the consideration of the exigencies of the public service.

Such is their just praise. It is their no less just dispraise that their proceedings were fluctuating, irresolute, and unskillful. It would seem as though the long intermission of the meetings of the States-General had prevented the deputies from learning or remembering the art of parliamentary tactics. They possessed no party combinations, no expert or acknowledged leaders, and no well-defined objects or line of policy. But, above all, they did not proceed in combination or in concert with any other of the great powers of the state, administrative or judicial; or, rather, they were in actual, though in unavowed hostility to each of those powers. No sooner had they ceased to deliberate and to act in their collective capacity, than the king and his ministers set at naught their most important decisions; and the judges, or Parliament of Paris, distinctly recognized the lawfulness of royal ordinances, promulgated in direct opposition to their most solemn decrees.

Yet the States-General of Charles VIII. had given proof of such powers, and had proclaimed such principles, as effectually induced him to dread and deprecate their reappearance. He never again convened them. Heavy as were the expenses of his Italian wars, he defrayed them partly by his hereditary revenue, and partly by taxes imposed by his own authority; and, when it would have been unsafe to strain that usurped

power any farther, then by loans raised in anticipation of his revenue. The national passion for military triumphs which then first, in modern times, developed its disastrous tendencies in France, then also first gave birth to that apparently insoluble problem, How the glories of the arms of France can ever be reconciled with the liberties of the French people.

Louis XII., like his predecessor, conducted his wars in Italy by means of loans, and of alienations of the royal domain; for not only did his wise and generous frugality render him independent of the aid of the States-General, but, strange as it may sound, it enabled him to enhance his popularity by dispensing altogether with their presence. To hold such assemblies, and to demand pecuniary supplies from the people, were, in that age (indeed in all ages), acts so indissolubly connected with each other, that *not* to hold them had come to be regarded as a kind of patriotic forbearance. The assembly of Notables which hailed Louis as "the Father of his people" did not forget his merit in never having been compelled to meet the representatives of his people.

When, in his turn, Francis I. sought for glory to the south of the Alps, he did not entitle himself to the same grateful eulogy; for though, like Louis XII., he never brought together the Three Estates of his kingdom, yet both at Cognac and at Paris he invoked the aid of the Notables to extricate him out of the calamities which followed on the defeat of Pavia. The first of those assemblies supported him in breaking his faith to Charles; the second of them enabled him to raise the ransom required to rescue his son from the hands of that monarch. The States were, however, so far indebted to Francis, that, by never allowing them to meet, he made others, and not them, the instruments of the public loss, and of the national repudiation of his own sworn promise.

Henry II., in his fiscal distress, imitated and improved on this example of his father. Instead of issuing a summons for the election of deputies, as in former times, he himself nominated them; and his mock States-General were farther distinguished from all genuine assemblages of that kind by the appearance there of a fourth estate; that is, of the various Parliaments of France as represented by nominees of the crown. The great object of this assemblage was to obtain a contribu-

tion from those privileged classes who were exempt from the tailles and from most other extraordinary imposts. Nor was the attempt unsuccessful. The enthusiasm excited by the recent capture of Calais, and the zeal of the Parliaments to requite the king for having elevated them to the rank of a new estate of the realm, opened the hearts and the purses of the members of this anomalous body.

But when Henry had fallen by the lance of Montgomery, and Francis, his son, reigned in his stead, such evasions of the ancient laws and constitution of the kingdom ceased to be any longer practicable; for the time was not yet come when the kings of France were to assume the plenitude of the power of raising taxes without the consent of their people. By Charles VIII., by Francis I., and by Henry II., the power had indeed been exercised, but it was with the timidity and hesitation of usurpers, and with the too plausible apology that they were at the same time promoters of the glory of France. But the scene and the actors in it were now to undergo a total change.

The seventy-eight years which had elapsed since the dissolution of the States-General of Tours by Charles VIII. had been a period of internal progress, though of external disaster. The blood and treasure of France had been profusely squandered in the Italian wars, in the rivalry with the house of Austria, and on the fatal fields of Pavia and St. Quentin. These calamities had at length passed away, and unequivocal indications of increasing prosperity were every where visible. But the blast of a new trumpet of woe was about to be heard throughout that devoted land. The wars of religion drew near, and already the hostile bands of the Huguenots and the Catholics were arrayed against each other for that deadly conflict. The civil and military conduct of the cause of the Reformers had been committed to the princes of the house of Bourbon. The Catholics acknowledged the chiefs of the house of Lorraine as their guides and champions. At the head of the Mediating, or, as they were called, the Political party, were the Constable Montmorency and the Chancellor l'Hôpital. The king himself was a cipher—a mere boy in his sixteenth year, in tutelage to his mother, Catharine of Medici, whose Italian guile found ceaseless exercise in maintaining her own dominion by the adjustment of the balance between the contending factions. Nor

were the other great sovereigns of Europe passive spectators of the brooding tempest. Philip II. had pledged himself to the defense of the Catholic, Elizabeth and the Reformed states of Germany to the support of the Calvinistic arms. But, ere those pledges could be redeemed, the Duke of Guise and his brother, the Cardinal of Lorraine, by the defeat of the Protestant conspiracy of Amboise, had risen to an absolute supremacy in the administration of the government of France, and had constrained the wily Catharine, at least for the moment, to grace and to partake their triumph.

But with the powers came the responsibilities of that high position. The public revenue was inadequate, by two and a half millions, to meet the annual expenditure for which the Guises had now to provide. They had to choose between the unpopularity (so hazardous at such a crisis) of raising the necessary supplies by edicts, to be issued in the name of the king alone, and the hazard (so formidable to the French court at all times) of convening the now almost obsolete assembly of the States-General of France. Yet, from such a convention, the house of Lorraine not unreasonably hoped to derive at once pecuniary resources and popular support; and, in that expectation, they became the avowed advocates of what then seemed so bold a policy. On the other hand, Antoine, king of Navarre, and his brother, the Prince of Condé (the two chiefs of the house of Bourbon), anticipated, from the same source, the triumph of their Protestant adherents, and their own elevation to the political authority which Catharine was exercising in passive subservience to the Princes of Lorraine. Catharine herself hailed the prospect of their meeting as the most probable means of depressing each of the rival houses, and of confirming her own questionable powers, while the Political party believed that the authority of the constable and the eloquence of the chancellor would enable them to subjugate the deputies to their pacific and constitutional policy. Under the influence of those opposite, though concurrent motives, the leaders of all the great rival parties in France unanimously advised the king to convene the States-General of the realm. But the people, to whom the royal citations were addressed, were as much infected as their rulers by the epidemic fever of political excitement. From De Thou and Regnier de la Planche—each of

them a contemporary historian—we learn that, from one end of the kingdom to the other, the electoral meetings rang with the characteristic eloquence of France, and that the vices of the clergy and the crimes of the privileged orders were the invariable themes of this popular oratory.

For example, John Bazin, an advocate of Blois, in the course of his invectives on such an occasion, having exclaimed that what he had spoken was felt, and would be avowed by his constituents—the people—was interrupted by the presiding bailli with the question, And what mean you by *the people?* "I mean," replied Bazin, "that bestia multorum capitum of whom you, M. le President, are yourself one." The speech delivered by another advocate, Grimaudet by name, at Angers, might pass for a communist oration at Paris of the year 1848. It denounces the courts of justice as shops for the sale of judicial sentences; the priests as hireling absolution mongers; the patrons of benefices as simoniacal debauchees; and the nobles as so many robbers and cowards, sheltering their infamy beneath their great hereditary titles; while the Tiers Etât, exempt from all blame, but laboring under every form of oppression, bore all the brunt of war, and endured all the burdens of peace, producing, by their toils, wealth in which they were allowed no share, and maintaining, by intolerable imposts, luxuries and employments in which they might not participate.

The deputies, who were elected in the midst of these tumults, had scarcely met before Francis died, and they generally adopted the opinion that their legal existence had ended with his natural life. The sages of the law decided otherwise. They maintained that, numerous as were the instances of the mortality of the *kings* of France, the *King* of France was immortal; and that, therefore, the assembly which Francis had summoned might, without any new elections, be holden by his successor, Charles IX.; and thus it happened that the ceremonial of opening the session was performed by the new king, then a boy in his eleventh year. The more arduous duty of explaining why this venerable institution of their ancestors was once more called into activity, devolved on the Chancellor l'Hôpital.

He reviewed the origin, the labors, and the privileges of the

States-General from the earliest times. He disclosed and lamented the oppressive wants of the treasury. He depicted the calamities which either menaced or were actually afflicting the kingdom. He ascribed them to differences of religious opinions, for which (as he maintained) a General Council was the only remedy; and he earnestly recommended a reciprocal toleration until such a synod should have met and spoken. "Gentleness," he said, "will make many more converts than violence. Pray for the heretics. Do your utmost to reclaim them, and you will render to the Church a far better service than by hating and reviling her antagonists."

To these wise and Christian counsels the Clergy answered by quoting against the Huguenots the divine commands to exterminate the guilty Canaanites. The Nobles and the Tiers Etât, on the contrary, joined with the chancellor in his appeal to the next General Council, and echoed his advice that, until the religious controversies should have been set at rest by that ultimate authority, no weapon but that of kind persuasion should be employed against the innovators. Respecting the secular interests of the nation, the three orders were, to a great extent, unanimous.

Here, then, was a concurrence of whatever could promise a successful result to the deliberations of the States-General. Holding the balance between the royal and the aristocratic powers, and regarded both by the Catholics and by the Huguenots as at least the immediate umpires in their disputes, what was the obstacle to the assertion, by the representatives of France, of all the powers necessary for vindicating the liberties and redressing the grievances of the French people? The obstacle was found in their want, not of strength, but of wisdom. They squandered the invaluable opportunity of which they were masters by two capital errors. The first was, that they demanded every thing; the second, that they conceded nothing.

After passing laborious weeks in the preparation of their cahiers, the States presented them, at last, in a form the best calculated to alarm each of the three great powers, whom it most behooved them to conciliate—the queen-mother, the house of Lorraine, and the Middle, or Constitutional party in the government. In those cahiers were recapitulated all the

evils under which society was laboring, and all the remedies by which they might be either removed or mitigated. Every existing form of misgovernment was thus, at once, brought into view, and depicted on the same dark canvas; and reforms so numerous and important were simultaneously suggested, as to give to the project the menacing appearance of a total revolution. Such a scheme at once excited the jealousy of the royal and aristocratic powers, and depressed the hopes of L'Hôpital and the other enlightened advisers of the crown. In the presence of such a pyramid of alleged abuses, and of such a mass of proposed measures of relief, the zeal of the most ardent reformers was paralyzed, while to the opponents of all change it afforded at least a plausible apology for inaction.

At once to pursue and to postpone theoretical perfection—to reconcile the loftiest hopes for the future with the humblest labors for the present, and so to work out the practicable while meditating the ideal—is a wisdom of which ancient France has left no traditions, and of which (perhaps for that reason) modern France has had no experience.

But the States-General of Orleans erred as much in refusing all reasonable concessions as in keeping out of sight no imaginable demand. The wants of the treasury were urgent and extreme, and a necessitous court and nobility would not have been unwilling to repay a liberal supply of money by enlarging the franchises of the French people, and by redressing some of the complaints of their representatives. But that price the authors of the cahiers were unwilling either frankly to offer or distinctly to refuse. They evaded it by an excuse alike unfounded and imprudent. They affected to regard themselves as invested by their constituents, not with a general authority to judge and act for them, but only with a limited power to judge and act in the particular affairs expressly mentioned in their instructions; and finding in those instructions no direct authority to impose any new tax, they declared themselves incompetent to make the grants which the crown had required.

In this suicidal repudiation of one of their own highest privileges, the court acquiesced promptly and with apparent pleasure. To Catharine and her counselors it was no unwelcome tidings that the States-General of France, so long disused and so much dreaded, had disavowed any higher character than

that of delegates or mandatories, invested only with the right of carrying into effect the express orders of their constituents. But this abandonment of their higher and more independent functions was unrewarded by the anticipated escape from the pecuniary demands of the Queen Regent. The deputies were sent back to their constituents to obtain from them the requisite authority for raising new imposts, with no one grievance redressed, but with gracious promises of the benefits which the king would confer if the necessary supplies should be first granted to him.

New writs were accordingly issued for the election of deputies, to meet in another assembly of the States-General. But much of the terror once inspired by such bodies had now passed away; and the court was encouraged, by the experience gained at Orleans, to depart widely, on this occasion, from the ancient laws and usages of the realm. For, first, the whole number of the deputies of the three orders was reduced from 393 to 39; and, secondly, they were declared to be eligible, not by the various bailliages, but by the twelve greater governments of the kingdom; and, thirdly, the electoral bodies were expressly forbidden to instruct their deputies, or even themselves to deliberate on any subject, excepting only that of the aids and subventions to be given to the king. In earlier times such an infringement of the constitution of the States would have been indignantly resisted. But the court had rightly inferred from their recent proceedings that such assemblies were no longer really formidable. There remains no record of so much as a single remonstrance or murmur against these enormous innovations.

Resolved, as it would seem, to ascertain whether there was any limit to their submissive spirit, the court separated the three orders from each other almost immediately after their meeting at St. Germain's, in August, 1561. The clergy were removed to Poissy, to join the conference at that place between the Catholic and Protestant divines; the Nobles and the Tiers Etât being sent to conduct the business of the session at Pontoise. When thus divided, the three orders were easily subdued. The Clergy were terrified by threats into what was called a voluntary gift of fifteen millions of livres. The Nobles and the Tiers Etât were allured, by vague promises of re-

form, to impose heavy duties on liquors imported into any fortified cities.

The triumph of the queen-mother and of the house of Lorraine over the representative body was thus complete. But in the Chancellor l'Hôpital France at that time possessed a statesman in whose wisdom, equity, and moderation some counterpoise was found against the cruel and selfish ambition of Catharine, and of the Duke and Cardinal of Guise. By L'Hôpital's advice, the States of Pontoise were not used merely as instruments for extracting money from the people, but, in return for their grants, they were permitted to reap some important advantages. They were admitted to a direct participation in three great measures of state policy: the ratification of the treaty by which the queen-mother and the King of Navarre had divided between them the powers of the regency; the devising measures for the reconcilement of the Catholics and Calvinists; and the preparation of a scheme for the discharge of the debts of the crown. To L'Hôpital, also, the States-General were indebted for the promulgation, in the name of Charles IX., of what was called the Edict of Orleans—a law designed to give effect to some of the reforms demanded by them during their session in that city. That edict fell, indeed, very far short of their interminable project, and was, therefore, vehemently opposed by most of the members of their body. It also greatly abridged the privileges of the Parliament of Paris, and was, therefore, opposed by that company with equal vehemence. But it was precisely in this conflict between the two that the chancellor found the means of accomplishing his own purposes. The States sought his support against the Parliament, and the Parliament against the States; and his projected law was at length accepted as a compromise by both. It long continued in force, bearing his name, and destined, as it seemed, to remain an imperishable monument to his honor. But it fell at last in the universal wreck of all the ancient institutions of France. It is, however, still a monument to be studied, in all its details, by any one who would rightly appreciate the true spirit of that once venerated monarchy. For the present it may be enough to say that it established the Pragmatic Sanction so far as it related to the right of the king to appoint the bishops of France; that it forbade the abuse of

Papal monitories; that it regulated the law of the licensed publication of books; that it confined judicial offices to men of the gown, to the exclusion of men of the sword; that it abolished the seignorial courts of justice; and that it abridged the power of an ancestor to disinherit his heir. If, to us, these enactments, and such as these, should appear to be but scanty fruits of the labors and the sacrifices of two successive national assemblies, we should bear in mind that the innovations thus established were in themselves of no light importance, and that the mode of effecting them was in the highest degree momentous. It was the first law which had been enacted by any king of France since the reign of John, with the express and avowed purpose of giving effect to the desires of the States-General. The Ordinance of Orleans, imperfectly as it may have accomplished that object, was, therefore, not unjustly hailed as the recognition of a great principle, and as the prolific germ of other concessions to be made, in future times, to the representatives of the French people.

That hope was not, however, to be accomplished. In the dark annals of France, few periods are involved in a deeper gloom than the fifteen years which intervened between the dissolution of the States of Pontoise and the first of the two meetings of the States at Blois. They had been years of civil war embittered by religious animosities. The Protestants had won battles, had suffered defeats, had endured persecutions, had crowded the scaffold as martyrs, and had undergone the butcheries of St. Bartholomew. Five successive edicts of pacification had, each in turn, introduced a short, hollow, and unquiet truce. But between the hostile parties there was no longer any place for confidence or for pardon. By each of them had been organized a confederation full of menace to the other; and of danger, both to the authority of the crown and to the peace of the kingdom. Between the Huguenots and the Political Catholics had been concluded a treaty for establishing within the state, but apart from it, a species of republic, governed by laws peculiar to itself in whatever related to public worship, to justice, to war, to commerce, and to finance. The more zealous Catholics, under the guidance of the house of Guise, had laid the foundation of the great Catholic league, with the scarcely disguised purpose of subverting the liberties

of the Gallican Church, and of excluding from the throne the descendants of Hugues Capet, in favor of the princes and family of Lorraine, the supposed posterity of Charlemagne. The feeble court, meanwhile dreading and distrusted by either party, at one time attempted to govern both by holding the balance between them, and at another time were seriously engaged in devising with an adventurer, Poncet by name, who had studied the science of government in Turkey, a scheme for establishing in France the naked despotism of the Sublime Porte. Nor was there wanting the interference of that formidable potentate, the press, which, in the form of pamphlets and of journals, was propagating some of those maxims which we now revere as the corner-stones of all constitutional politics, but which were, in that age, denounced as incitements to anarchy and sedition.

In this labyrinth of intrigues and conflict of passions, there was one ground alone in which the antagonist ranks were not at variance. They all agreed in demanding an assembly of the States-General. It promised to the Catholic Leaguers a sanction, or at least an apology, for their treasonable compact. It promised to the Protestant and Political confederacy the reforms, civil and religious, for which they were associated. It promised to Catharine and her son Henry a solution of the perilous problem, to which of those hostile forces it would be the more safe and expedient for them to adhere; and to the literary dictators of the age it promised a broad channel and an effective agency through which their doctrines might be the most readily diffused and the most widely disseminated.

The States were accordingly summoned to meet; and on the 6th of December, 1576, 326 deputies appeared at Blois in obedience to that citation. In the flower of his youth, and in all the pomp of royalty, Henry III. presided over them. To those historians who, penetrating the inmost hearts of the men of former times, resolve all the enigmas of them more confidently than most of us are able to decipher the secrets of our own, it belongs to explain what were the dominant passions which united, and held together in the same bosom, those apparently irreconcilable propensities by which the last of the house of Valois seems to have been governed. His youth of noble daring was followed by an imbecile and voluptuous manhood.

The ability both to express and to win all the kindly affections was combined in him with an habitual and inanimate selfishness. His devotion in all religious observances was fervent, even to extravagance; yet was he destitute of any perceptible respect for the restraints or for the duties which religion enjoins. Though faithful to his worthless associates and ill-chosen friends, even at hazards which might have daunted the bravest, he was faithless to his subjects when both honor and prudence exhorted him to fidelity. Gifted with energy and with talents of no common order, he was yet the constant sport of outward circumstances, and the passive instrument of minds holding a far lower place than his own in the scale of intellect. He died the victim of principles falsely imputed to him, and became the martyr of the very cause which, from the commencement to the close of his life, he had relentlessly persecuted. Who but he whose inalienable prerogative it is to be the Searcher of hearts may discover the true reconcilement of these contradictions? And yet what diligent observer has not remarked in others—what honest self-observer has not occasionally detected in himself—some inconsistencies not wholly dissimilar from those of Henry? For who has not had occasion to trace the progressive victory of what is sensitive, sensuous, and sensual, over what is moral, intellectual, and spiritual in the nature of every man who, having, like Henry, been subjected to the fiery trial of what we miscall prosperity, has been exempted, by the too easy condition of his life, from the strenuous competition, the laborious self-denial, the invigorating rebukes, and disappointments, and sufferings, which prepare the less-favored children of fortune to scale the obstinate heights of honest fame and enduring usefulness?

To such an elevation, indeed, Henry occasionally made some approach, and especially when he appeared as a public speaker; for his presence was noble, his voice clear and liquid, and his elocution destitute neither of dignity nor of pathos. Take, as an example, the following passage from his address to the States-General of Blois on the opening of their sessions. "In all the events of these later wars, nothing," he said, "has given me so much sorrow, or affected me so deeply, as the oppression and the distress under which my poor people have labored. Often has my commiseration for them moved me to implore

God to deliver them from their calamities; or, if not, then that he would be pleased in this, the flower of my age, to terminate at once my reign and my life, with a reputation befitting the descendant of so long a line of magnanimous princes, rather than allow me to grow old, protracting, in the midst of irremediable troubles, a reign to be remembered in future generations only as a reign of public misfortunes."

Kind and kingly words! but not the only words uttered by Henry on this occasion. He had met the States-General with the earnest hope that they would sanction the war which he desired to wage against his Protestant subjects; for he hated, with all the energy of which his enervated mind was still capable, the Reformers over whom he had triumphed in his youth at Jarnac and at Montcontour. But, without the concurrence of the representatives of the French people, he could not venture to raise his standard in such a war; and his aspirations for their support in this enterprise were privately expressed in the form of a parody on the ancient philanthropic wish that the Romans had but one neck among them, that so they might all be decapitated at a blow. "Would," exclaimed Henry, "that the deputies of the Three Estates (I must substitute a periphrastic for a literal version) were joined together bodily in such sort that a single kick might drive them all at once to vote for the establishment of uniformity of religion in France." The king thus spoke in his cabinet from the heart. On his throne he had spoken from his lips. But they to whom he had spoken needed no royal voice to stimulate their antipathy to the Calvinists and their leaders. The States-General promptly gratified the wishes of their sovereign, though without any such unseemly external impulse as he had meditated. Among their earliest resolutions was a vote that Henry should be moved to reunite all Frenchmen in the same faith and worship.

Thus far they were unanimous. But with regard to the use, either of the stake or of the sword, for the propagation of the faith, the deputies differed. The majority of the members of the Tiers Etât, when told by the head, proposed to add to the address to the king a protest against the adoption of such methods. The majority of the twelve governments or committees into which the Tiers Etât were divided, voted, on the other hand, against any such qualification of the address.

It was, therefore, presented to Henry in a form which was understood by him and by the whole assembly as a declaration of war against the Huguenots.

The immediate result of this vote was probably unforeseen by any of the authors or the promoters of it. Henry had found remaining energy enough to imprecate the destruction of the heretics of his kingdom; but, on receiving this formal summons to draw the sword against them, his resolution faltered. He saw in it merely an opportune and welcome deliverance from the responsibility of so momentous a decision, and rejoiced in the opportunity of casting on the States-General themselves the reproach of reviving hostilities, and on the Reformers the odium of refusing peace. To purchase this relief from his duties as a king, he was content to sacrifice the highest prerogative of his crown. He was willing that the deputies should assume the office of negotiators with those whom he and they concurred in denouncing as public enemies, and he answered their address by expressly inviting *them* to engage in the proposed treaty with the Huguenots. The invitation was promptly and gladly accepted. Envoys proceeded from the States-General to Henry of Navarre, to Condé, and to the other Protestant leaders with proposals of reconciliation. But these proposals had been studiously conceived in such a spirit, and framed in such terms, as to provoke and to insure the indignant defiance with which they were received. Thus the States-General, having been permitted to assume one of the functions of the royal government, had used it in such a manner as to involve the king and the people of France in a renewal of the civil war.

But in the mind of Henry III. unkingly passions counterpoised each other. When thus invited to satiate his hatred of his Protestant antagonists, he became paralyzed by his dread of his Catholic allies. He abhorred the Huguenots as the open enemies of the Church to which he was superstitiously devoted. He dreaded the Leaguers as the secret enemies of his own royal authority, to which his devotion was not less absolute. Oscillating between these emotions, he rushed into the precise dangers which he desired to escape, and brought himself into subjection to the very heretics whom he thirsted to destroy.

The objects of the Catholic League were the deposition of Henry, the surrender of the liberties of the Gallican Church, and the extermination or the exile of the Calvinists. Yet Henry now announced himself to the States-General of Blois as the head of that traitorous association. He idly hoped to foil the Duke of Guise by thus wresting from his grasp the keenest of the weapons with which that ambitious prince was assailing his crown and dynasty. With his own hand he subscribed the written act of their traitorous confederacy. He required the deputies to subjoin their signatures to his, and dispatched several of them to solicit in his name the subscriptions of the governors, nobles, and seigneurs in every province of his realm. Descending from his station as King of France to that of a titular leader of a fanatical faction, he rendered himself the slave of the audacious agitator whom he had hoped to supersede, and whetted the daggers which were, ere long, to be plunged into the bosom of Guise and into his own.

Thus the hopes with which the Leaguers had anticipated the assembly at Blois were at least partially gratified. The court, also, had obtained their expected deliverance from the torment of irresolution, and were committed to a war with the Huguenots to the knife. It remains to inquire how far the hopes of the party called Political were accomplished.

They had proposed to themselves various reformations in the government, and had resolved to stipulate for new or enlarged popular franchises, in return for what pecuniary aids might be granted to the sovereign; but, again, this projected interchange of benefits was defeated by the inexorable parsimony of the States-General. The king demanded of them funds to sustain the war into which they had plunged him. But his demands were disregarded. The Nobles proffered their swords, but nothing more. The Clergy refused any grants until the royal encroachments on their spiritual power should have been withdrawn. The Tiers Etât insisted that the king would find an ample revenue in the practice of a wise economy. Long, vehement, and futile were the debates which followed, until the deputies, believing that Henry was tamed by fatigue and poverty to submission, proposed at last to assist him with the necessary funds, but only on the extreme condition that he should impart the force and authority of law to

every resolution which all the Three Estates should unanimously adopt.

The offer was indignantly rejected. To Henry, and probably to the States themselves, it appeared nothing less than an abdication of his royal office. Yet to avoid, if possible, a total failure of the supplies indispensable to the impending war, he proposed that no measures which the States-General should recommend for his adoption should be rejected, except on the advice of a commission to be composed of an equal number of his own privy counselors and of deputies to be selected for that purpose by the States themselves.

To this compromise the Clergy and the Nobles would have acceded; but it was firmly resisted by the Tiers Etât. They maintained that they had no right to delegate to others their own delegated powers; that they had no right to reduce the States-General from a large popular assembly to a private and innumerous chamber; that they had no right to admit the officers of the crown into such a participation of the privileges of the representatives of the people; and that, in the proposed commission, there would be neither liberty of speech, nor any real exemption from the corrupting influences of the court.

Thus the offers of the States having been rejected by the king, and the offers of the king having been rejected by the States, the negotiations reached their close. The deputies quitted the king with sullen and menacing remonstrances. The king quitted the deputies declaring indignantly that he would not engage in a war, for the expenses of which they had refused to provide, but would conclude peace with the Huguenots on the best terms which his pecuniary necessities would permit him to obtain.

None of the hopes of the political reformers were, therefore, fulfilled by the States of Blois. That assembly had repeated the error of their predecessors at Orleans in demanding every thing and in conceding nothing. Yet their labors were not altogether fruitless. Two years after the close of their session, Henry promulgated a law, which was called the Ordonnance de Blois, because it purported to give effect to the cahiers of the States-General holden in that city. It is a curious monument of the learning of the lawyers, and of the inefficacy of the laws of that age. It is pronounced by the most competent

judges to be an admirable exercise in what may be called the art of didactic jurisprudence; a vast accumulation of rules indicating what ought to be done on many subjects of the highest social interest, but of rules destitute of those executory principles, without which every enactment must be useless and unprofitable.

From the dissolution of the States-General of Blois, the downward course of the life of Henry was tracked by crime, by disaster, and by shame. The hostilities with the Huguenots, which he had invoked with such wanton levity, and disavowed with such petulant impatience, became inevitable; and, for the seventh time, war was proclaimed against an enemy whom he was powerless alike to conciliate or to conquer. After a brief campaign, they extorted from his weakness or his fears the pacification of Fleix. But any peace with the Reformers involved, of course, the toleration of their opinions and their worship; and, in the judgment of the Leaguers, the toleration of such heretics was an offense not less unpardonable than heresy itself. Nor did they affect to pardon it. No indignity, however contumelious—no calumnies, however hateful, were wanting to their revenge. The pulpits and the presses of Catholic France rang with fierce and unmeasured invectives against the recreant king. The Pope declared himself the protector of the League. The Leaguers entered into a treaty with Philip II. of Spain for excluding the heretical branches of the house of Bourbon from the succession to the throne of France. The Cardinal of Bourbon, claiming, in virtue of that treaty, the rank of heir presumptive to the French monarchy, nominated the Dukes of Guise and of Lorraine to be joint lieutenant generals of the kingdom; and those princes, in virtue of that nomination, levied troops, embodied an army, and took possession of several of the royal fortresses.

While his throne was thus menaced from within and from without by the rising tempest of treason and revolt, what were the pursuits of the King of France? With a basket full of curious spaniels hanging from his neck, he busied himself with the frolics of the monkeys and the clatter of the parroquets which filled his menagerie, or took refuge from ennui in marriage fêtes, in ecclesiastical processions, or even in funeral ceremonies, and squandered on these effeminate pastimes sums

which, otherwise employed, might have placed him at the head of a force sufficient to overwhelm his enemies. Those enemies at once despised and enjoyed his degradation. They seized on the government of Paris. They organized a revolutionary committee for each of the sixteen sections of the city, and they summoned the Duke of Guise to the command of the insurgent forces of the capital. He assumed it, and extorted from the feeble Henry the treaty of Nemours. It constituted the duke general in chief of the royal forces and governor of twelve fortified towns. It granted him the sum of 700,000 crowns as an indemnity for his past expenses in the royal service. It pledged the king to revoke all his concessions to the Huguenots, and it bound him (destitute as he was both of men and money) to renew the war against them.

For the eighth time, therefore, that war was proclaimed by Henry. It plunged him into irretrievable losses, defeat, and shame, while it conducted Henry of Navarre to at least one signal triumph, and Guise himself to new successes and to increased popularity.

The storm now raged against the unfortunate king with rekindled and yet greater fury. The Sorbonne declared that his deposition would be in accordance with the divine laws. The Duke of Guise, marching into Paris and entering the Louvre, insulted and bearded him to his face. The citizens established an insurrectionary government, gained possession of Vincennes and the Bastile, threw up barricades, defeated and disarmed the Swiss who guarded the person of their sovereign, and compelled him to escape to Chartres, a despised and solitary fugitive. To Chartres he was followed by the now triumphant Guise, who dictated there, to the degraded king, what was thenceforward called the Treaty of Union of July, 1588. It forgave, or rather it applauded, all the outrages of Paris. It declared all heretics incapable of any public trust, office, or employment. It excluded the heretical members of the house of Bourbon from the line of succession to the crown. It raised the duke to the office of lieutenant general of the kingdom; and it provided for the immediate convention of the States-General of France. To the observance of these terms Henry pledged himself in the most solemn forms of adjuration.

Again, therefore, the States-General were summoned to meet at the city of Blois; and on the 16th of October, 1588, 505 deputies were assembled to listen to the inaugural oration of the king. "Among them," says the contemporary historian Matthieu, "was conspicuous Henry, duke of Guise, who, as great master of the royal household, sat near the throne, dressed in white satin, with his hood thrown carelessly backward; and from that elevated position he cast his eyes along the dense crowd before him, that he might recognize and distinguish his followers, and encourage with a glance their reliance on his fortune and success; and thus, without uttering a word, might seem to say to each of them, 'I see you;' and then (proceeds Matthieu) the duke, rising, with a profound obeisance to the assembly, and followed by the long train of his officers and gentlemen, retired to meet and to introduce the king." The lofty consciousness of his royal character still imparted some dignity to Henry's demeanor. Addressing the States with a majestic and touching eloquence, he asserted his title to the gratitude of his people, claimed the unimpaired inheritance of the prerogatives of his ancestors, pronounced the pardon of those who had already entered into traitorous conspiracies against him, and threatened condign punishment of all who might in future engage in any similar attempts. Even Guise listened, with evident discomposure, to this unexpected rebuke and public menace from the lips of his sovereign. It was, however, the single gleam of success with which Henry was cheered in his intercourse with the representatives of his people; and the rest of the history of the States-General of 1588 is little else than a record of the humiliations to which they subjected him.

He spoke, as we have seen, with royal indignation of the outrages of Paris and of Chartres; but he was compelled to omit all those passages of his address in his subsequent publication of it. He publicly claimed for himself the cognizance of all questions respecting the verification of the powers of the deputies; but he was constrained, with equal publicity, to retract that pretension. He entertained an appeal from one of the members of the Tiers Etât against a decision of his order; but he was sternly reminded that the States had met at Blois, not as supplicants to obey, but as counselors to advise him.

He pardoned the Dukes of Soissons and Conti their having borne arms under the Huguenot standards, that so they might be qualified to take their places among the order of the Nobles; but the validity of his pardon was contemptuously denied. He resisted, as an insult, the demand of the States that he should repeat, in their presence, the oath he had already taken to observe the Treaty of the Union; but he was taught that submission was inevitable. He demanded that the States should, in their turn, swear fidelity to himself, and to the fundamental laws of the realm; but he was obliged to withdraw that demand. He insisted that the exclusion of Henry of Bearn from the succession to the throne should be preceded by an invitation to that prince to return into the bosom of the Church; but his proposal was inflexibly and scornfully resisted. He commissioned two of his officers to lay before the order of the Clergy his objections to the acceptance of the decrees of the Council of Trent; but his officers were driven away with insult. He solicited pecuniary aid for carrying on the war against the Huguenots; but the suit was answered by a demand for his surrender of a large part of his actual revenue.

This long series of indignities was readily traced by Henry to the guidance of a single hand. Guise was but too successfully exerting his influence at Blois to dethrone the king by degrading him. The crown, which must inevitably fall from the grasp of a prince whom all men had been taught to despise, might readily be transferred to the brows of a prince to whom all were looking with admiration.

Yet it was a hazardous policy. The king who had conquered at Jarnac and Montcontour, and who had concurred in devising the massacre of St. Bartholomew, was not a man to be restrained by the voice either of fear, of humanity, or of conscience. The friends of Guise saw, and pointed out to him the danger of provoking the dormant passions of the enervated Henry; but he received their remonstrances with contempt, and habitually and ostentatiously placed himself within the powers of the sovereign whom he at once despised, exasperated, and defied.

It was at the hour of eight in the morning of the 23d of December, 1588, that Guise was summoned from the council room at Blois to attend Henry in his private chamber. He

entered it alone and unguarded, and had scarcely crossed the threshold before he fell beneath the daggers of assassins who had been stationed there for his destruction. His brother, the Cardinal of Guise, immediately followed, and fell by the same hands. The Cardinal of Bourbon, and all the other partisans of the house of Guise, were arrested. An officer of the royal household, commanding an armed force, then entered the chamber of the Tiers Etât, and seized as state prisoners the president and three others of the most conspicuous of the Leaguers comprised in that body; and when the work of blood and treachery had been thus consummated, the palace gates were thrown open, and Henry, presenting himself to his dismayed but indignant subjects, exclaimed, "At length I am a king."

But "he that soweth iniquity," says the wise man, "shall reap vanity, and the rod of his anger shall fail."

Within a few days of the slaughter of the Duke and Cardinal of Guise, Catharine, the mother of Henry, and, perhaps, the only human being who really loved him, was summoned from the world, where, except himself, there probably remained not one who did not execrate her memory. In a few weeks, Paris, and the greater part of France, had solemnly renounced all allegiance to him. In less than eight months, the League had avenged the assassination of their chiefs by the knife of the fanatic Jacques Clement. But in the midst of this general indignation, the States-General, and they alone, were, in appearance at least, unmoved. Occasionally, indeed, and even earnestly, they solicited the release of the prisoners. But they breathed not so much as a single remonstrance to the king against his enormous infringement of their sacred character and privileges in the persons of their colleagues. With an almost incredible abjectness, they addressed themselves at once to the ordinary business of the session, and discussed with Henry amendments in the law of treason, schemes for the admission of his officers to join in their deliberations, and plans for bringing to account all public defaulters. They presented to him, not indignant defiances, but humble descriptions of the sufferings of his people, and meek supplications for the redress of them; and continued, during a whole month after the death of the Princes of Lorraine, to prostrate themselves before the

king, as in the presence, not of an assassin, but of a conqueror. The session then closed with the royal audience customary on such occasions; when, in the hope of propitiating his favor to the imprisoned deputies, they addressed him in a speech in which his royal virtues, and especially his *clemency*, were lavishly extolled. On the 16th of January, 1589, they at last took their leave of their sovereign and of each other; when "we parted," says their great orator and memorialist, Bernard, "with tears in our eyes, bewailing what had passed, and looking forward with terror to what was yet to come; and observing that, in our separation, France had an evil augury that she herself was about to be torn in pieces."

The augury was but too well verified. The States-General of France never again assembled till they met ineffectually in the reign of Louis XIII., to be then finally adjourned till the eve of the French Revolution.

When our own Charles I. (whom the utmost malignity of faction never degraded by a comparison with Henry III.) attempted to arrest, in the House of Commons, the leaders of his revolutionary opponents, there were yet living among his courtiers many who remembered the seizure of the deputies at Blois as one of the tragical occurrences of their youth. Some of them may, perhaps, have drawn from the passive acquiescence of the Tiers Etât in that outrage an argument in favor of that disastrous imitation of the policy of the French king. The remembrance of the fatal apathy of the States-General may, perhaps, also have suggested to our ancestors in the House of Commons, as it may now explain and vindicate to ourselves, that stern resentment, which no subsequent concessions could either appease or mitigate. Happy would it have been for the Commons of France, in a far later age, if they also had diligently meditated this passage in their national annals. The history of the States-General of Blois, well pondered, and rightly understood by the French people, might have averted the monstrous progeny of revolution, of wretchedness, and of crime, which, exactly two hundred years afterward, sprang from the too prolific womb of the States-General of 1789.

From age to age, assemblies of the representatives of the people of that kingdom had but repeated the exhibition of the

same imposing but delusive spectacle. Arrayed in all the theatrical pomp of an ancient monarchy—embellished with the noblest names and the most illustrious titles—connected, by no doubtful traditions, with the national comitia of Clovis, of Charlemagne, and of St. Louis—elected by a substantially free and an almost universal suffrage, what was wanting to enable the States-General to establish a constitutional government? And yet, what did they really accomplish for the freedom of their nation, during the long centuries in which they had so often been summoned to meet and to advise their sovereigns?

It is to be acknowledged in their favor that they constantly and faithfully laid bare the diseases of the realm, and depicted in the most vivid colors the wrongs of their constituents; that they pronounced orations of surpassing eloquence; that they gave birth to many brilliant aphorisms; that they recognized the most profound principles; and that they formed and announced the loftiest designs. Nor is that all. They have the farther merit of having occasionally made some constitutional franchises, and of having lent their authority to codes of laws which have immortalized the compilers of them. Their condemnation is, that they left all these diseases unhealed; that their eloquence proved to be at last but so many sonorous declamations; that their aphorisms, their principles, and their projects were gradually relegated from the senate to the schools; that the laws enacted at their instance remained dormant and ineffectual; and that the abuses which they condemned sprang up, after each renewed censure of them, with even greater vigor than before, like so many noxious plants, pruned, but not eradicated.

And whence this continually recurring frustration of so much public spirit, though animated by so much ability, and exerted, as it was, with such assiduous diligence? That public spirit was profitless because the three orders of the States met there, not as allies, but as antagonists; because the impassable barriers of privilege, and rank, and prejudice prevented their fusion into one harmonious body, the different members of which could co-operate together for the general good; because, on the contrary, the king always found in one or other of those members a counterpoise against the authority of the rest; because they contentedly acquiesced in the humble of-

fice of suggesting and imploring remedies, and left to the king the higher function of enacting, and, therefore, the means of defeating them; because the embarrassing multitude and the rhetorical vagueness of their proposals afforded always a pretext, often a justification, for the royal disregard of the greater number of their complaints; because the possession of a usurped, but undisputed legislative power enabled the king to avoid the meetings of the States-General, except at some great, infrequent, and distant intervals; and because, during the many intervening years in which the representatives of the people exercised no superintendence or control over the executive and legislative government, the French monarchs committed, and the French people expiated, those habitual and grievous faults, from which, in the exercise of unrestrained authority, man never has been exempt, and never will be exempted, unless, indeed, the nature of man himself shall hereafter be delivered from the corruptions and the infirmities to which it has hitherto been in bondage.

Are we then to conclude that the States-General were an unprofitable element in the constitution of the French Monarchy? Assuredly not. For, first, they moderated and restrained in practice, as well as in theory, the reckless increase and the prodigal expenditure of the public revenue. It had been a maxim of the Feudal age that no impost could be lawfully levied on free men except with their own consent; and reverence for that maxim was kept continually alive by the meetings of the representatives of the people, or by the traditions of such assemblies. In process of time, indeed, the kings of France triumphed over this, as well as all the other constitutional principles of earlier generations, and promulgated edicts under which new imposts were exacted and old imposts were increased at the royal pleasure. But in the very plenitude of the power of Louis XIV., such edicts were condemned, even when they were not resisted, as a lawless usurpation.

But the conservation of this great principle till the maturity of the time in which it was to revive as a fundamental law of the French Commonwealth is but one among the many similar benefits which the States-General of France conferred on the French people. It might not be difficult to dwell at length on the detail of them. But, at the present moment, such a dis-

cussion would be as inconvenient as, happily, it is useless; for, in one of those energetic and comprehensive periods which illuminate every page of M. Guizot's philosophical speculations, he has said, in a few words, whatever really remains to be said on this subject, and with those words I close my present lecture.

"From one epoch to another (writes that great author), the States-General were a living protestation against political servitude—an impassioned announcement of some great tutelary principles. Among those principles were the exclusive right of the nation to impose whatever tribute the nation was to pay; the right of the people to a voice in the conduct of their own affairs; and the responsibility of the rulers to those over whom they rule. For the continued vitality of these and similar doctrines in France, we are chiefly indebted to the States-General of the kingdom; nor is it a trifling service to any people thus to have cherished in their bosoms, and to have perpetuated in their habits, the remembrance and the love of freedom."

LECTURE XIII.

ON THE SOURCES AND MANAGEMENT OF THE REVENUES OF FRANCE.

When, in June, 1787, Louis XVI. required the Parliament of Paris to register his edict for raising a revenue by stamps, that body, assisted by the dukes and peers of France, resolved that the right of imposing taxes on the people belonged to the States-General, and to them alone; and that the Parliaments were not competent to sanction any fiscal ordinances. How then did it happen that the Power of the Purse, which the theory of the French Constitution thus ascribed to the national representatives, never yielded, in that kingdom, its legitimate fruit of constitutional freedom? The present and the following lecture will be devoted to the investigation of that problem. I must, however, approach it by what, I fear, may seem a circuitous and a wearisome path.

The revenue of the kings of France may be considered as having been either ordinary or extraordinary. Under the head

of ordinary revenue may be comprised all the possessions or proprietary rights which each monarch in his turn inherited: 1st, as seigneur of the royal domain; 2dly, as supreme suzerain of the realm; and, 3dly, as administrator of the central government. Under the head of extraordinary revenue will consequently be included only the produce of such imposts, direct or indirect, as were levied upon the people, or upon any class of them, under positive enactments. Proposing this as a methodical and convenient rather than as an exact and logical arrangement of the subject, I proceed, in pursuance of it, to inquire, What were the component parts of the ordinary revenue of the French kings? and, first, what were their possessions, or proprietary rights, *as seigneurs of the royal domain?*

In the days of Hugues Capet and of his earliest successors, the royal domain was but a convertible term for that great fief (the Duchy of France) which he had inherited from his ancestors; but, by the conquest and cession of various other fiefs, the domain was progressively enlarged, until at last it embraced by far the greater part of the kingdom of France. Some provinces, however (Dauphiné, for example), were reunited to the crown without being annexed to the domain.

As seigneurs of the royal domain, the French kings might, in the language of our own law, be said to have been seised of various corporeal and incorporeal hereditaments within its precincts; that is, they were owners in possession of extensive lands, buildings, forests, and navigable streams situate there; and they were entitled to the feudal dues arising in each of the seigneuries within the same limits. Those dues, though differing in many fiefs, had a great general similitude in all.

The nature and the amount of such dues depended on the rank of the vassal of whom they were claimed. If he were noble, he owed to the royal seigneur a *Relief*, or *Droit de Quint*, on every change in the ownership of his fief. During his minority, the king was entitled to the guardianship of his estate and person, and, therefore, to what was called the *Droit de Garde*. In some seigneuries the noble vassals also rendered to the king, as their feudal lord, an annual tribute on their forest lands, varying from year to year with the estimated produce of the forests.

Every bishop and abbot, whose church was within the roy-

al domain, paid, on his appointment, a *Régale;* that is, a tribute to the king, corresponding with the *Relief*, or *Droit de Quint*, payable on the change of ownership in a noble lay fief.

An ignoble vassal or roturier, holding lands within the royal domain, owed to the king as his seigneur, 1st, a personal *Cens*, or capitation tax; 2dly, an annual *Cens*, or quit-rent on his land; 3dly, *Lods et Ventes*, that is, a fine on every change of ownership; 4thly, *Corvées*, that is, the performance of manual labor on the public roads and works of the seigneurie during a certain number of days in each year; 5thly, the obligation of grinding his corn at the mill, and of baking his bread at the oven, of his royal seigneur, and not elsewhere; 6thly, fees for licenses to authorize his marrying, or hunting, or fishing; 7thly, the *Droit de Gîte*, that is, the duty of supplying board and lodging to the king and to his suite while on a royal progress; and, 8thly, the *Droit de Prise*, or the duty of supplying to the king on credit, during a certain period, such articles of domestic consumption as might be required for the royal household.

The revenues of the king, as seigneur of the royal domain, differed from those of his great feudatories, not in kind, but in amount. His receipts were greater than any of theirs, in the proportion in which his fief exceeded in extent and value any of their fiefs.

The preceding statements will demand material qualifications as we descend the stream of history. Some of the most oppressive of the privileges of the royal seigneur had fallen into disuse before the accession of the house of Valois. Some of them had been expressly abolished; and, in some cases, those charges on the land which varied with its changing value had been commuted into fixed money payments.

It was a general principle of law that the reigning sovereign had not an absolute property in the royal domain, but was merely entitled to the usufruct of it, and that it was therefore inalienable. Nevertheless, in process of time, it was greatly diminished by apanages to the younger members of the royal house; by gratuitous donations to other persons; by sales to purchasers; and by mortgages to creditors. In every page of the financial history of France we meet with the record of strenuous efforts to arrest this evil. The judges omit-

ted no opportunity of inculcating the doctrine that all gifts and conveyances of crown estates were invalid. The States-General, when solicited by the king for money, never failed to call on him to resume the patrimony of his crown from those to whom it had been improvidently given or illegally sold. Nor were such resumptions infrequently made. But it was impossible so to set aside conveyances of any part of the royal domain, when effected for valuable considerations, without entirely depreciating all future sales of any similar property. It became necessary, therefore, in order to restore the confidence of purchasers, to guarantee them by royal ordinances against any such breach of the public faith; and thus, at length, the crown lands were sold under conditions so stringent, that neither Sully nor Colbert were able to struggle successfully against the pressure of them. Such was the extent of those sales, that, in the reign of Louis XIV., the royal domain no longer ranked among the chief of the fiscal resources of the state.

Secondly. *As supreme suzerains of the realm,* the kings of France derived various proprietary rights from that principle of the feudal law which bound together all the successive titles to a fief in an unbroken chain of dependencies, descending from the king himself, through all the intermediate seigneurs, down to the lowest of their sub-feudatories. An unauthorized change in the tenure of any such fief might be prejudicial to the king, considered as the last and highest of the feudal lords, in the series ascending above the author of the innovation. He by whom any such injurious act was done was therefore said *abréger son fief.*

Now a fief might be so *abrégé* by granting it to the Church in mortmain; for such a grant would extinguish the fines which, if it had remained in lay hands, would have been payable on alienations, or on the deaths of each successive tenant. This was the ground, or the pretext, for a long series of ordinances regulating, restraining, or prohibiting grants in mortmain to ecclesiastical corporations, whether sole or aggregate. The effect of those laws was, at length, entirely to interdict to every seigneur in the realm the granting of any fief in that manner, except with the express license of the king as supreme suzerain. For such licenses the king demanded large dues, which collectively were called the *Droit d'Amortissement.*

In virtue of the same principle, the king, as supreme suzerain, acquired what was called the *Droit de Franc Fief;* that is, the right to exact dues on every transfer of a fief from a noble to an ignoble tenant. In support of this claim, it was maintained that, by such a transfer, a fief was *abrégé*, because there was at least a legal presumption that the new owner, a roturier, would be less competent than the preceding owner, a noble, to perform the obligations on which the fief was holden. The real and the better reason was that to which I referred in a former lecture. To facilitate the sales of seignorial estates during the fever of the Crusades, it had been decided that, by acquiring a noble fief, a roturier was himself ennobled. The king's license for such an acquisition was consequently indispensable, since otherwise the privileges of nobility might, without his consent, have been conferred on any one or more of his subjects. For every such consent he was accustomed to demand a fine, varying from three years' purchase to one year's purchase of the fief.

It was on the same principle that the kings of France, as supreme suzerains, became entitled to the *Droit d'Aubain;* that is, the right to succeed to the estate, movable or immovable, of any alien dying within the realm. I had formerly occasion to remark that, under the first two dynasties, laws were not local, but personal. A stranger was, therefore, not entitled to the rights enjoyed by the denizens of the place to which he came; and in any such place he had no means of effectually asserting the rights which he was supposed to bring with him. He therefore sought for himself and for his property some powerful protector. In every feudal seigneurie the lord claimed the privilege of affording that protection, and of affording it on his own terms. He therefore rescued the stranger from the oppression of others, but it was in order to render him a prey and a bondsman to himself. Against such wrongs the sufferer could find redress only by avowing himself to be the liegeman of the king; and the king was ever ready to acknowledge that relation. Gradually, and after many a struggle, it was thus at length established, that all *aubains* in France were *royal* vassals, and were *not* in vassalage to the inferior lord within whose seigneurie they might be living. The financial consequence of this doctrine has already

been noticed. Until toward the end of the eighteenth century, the French kings still retained, and carried into effect, this absurd and inhospitable pretension.

I do not pause to notice other minor sources of revenue, such as escheats and treasure-trove, to which the king was entitled, as what was called *le souverain fieffeux*. They are of importance only as indicating the progress which, by the aid of feudal doctrines, was continually made in the subjection of the seignorial to the royal fisc. But,

Thirdly. The kings of France had many prerogatives and many consequent pecuniary rights, neither as members, nor as the heads of the feudal hierarchy, but *as administrators of the central government.*

Thus the *Droit de joyeux Avénement* was the right of each successive monarch, on his accession, to a tribute for confirming in his privileges every person in possession of any special advantages in virtue of any royal grants. Among such persons were all bodies corporate, whether commercial or municipal; all naturalized aliens; all legitimated bastards; and all holders of public offices.

The crown was also entitled to the *Droit de Maîtrise.* This was a charge payable by every one who, after having served his apprenticeship in any commercial guild or brotherhood, sought to become a master workman in it on his own account. Nor were these formal or trifling dues. An ordinance of the year 1687 fixed at 3000 livres the *Maîtrise* payable by any man on his admission to trade as a Draper. In the case of a Druggist, the same ordinance assessed the charge at a sum varying from 5000 to 6000 livres. Dispensations from serving the apprenticeship at all might also be obtained; and, in such cases, the tariff was higher still.

The *Droit de Greffe* was the right of selling various offices connected with the custody of judicial records or notarial acts. This was an ancient privilege of the French kings, and became the basis of a series of remarkable encroachments. First, they asserted the right to sell other public offices of far higher importance. Then they created offices for the express purpose of selling them. Then, in the absence of voluntary purchasers, they selected persons of wealth, who were constrained to buy this royal merchandise at a fixed price. But in all cases, un-

til the reign of Henry IV., the office was made redeemable at a sum which was ascertained either by an express or by an implied condition in the original contract.

Against this fatal abuse, the States-General, the Parliament of Paris, and the most eminent statesmen and writers of France (Montesquieu is the eminent and singular exception) never ceased to remonstrate with all the weight of their authority or their reason. But, till the eve of the Revolution, that abuse proved inveterate and incurable. In the time of Louis XIV., the number of vendible, and, for the most part, superfluous places, exceeded 4000, and the prices of some of them were enormous. Toward the close of the seventeenth century, half a million of livres was exacted for each of the offices of secretary of state, of captain of the royal guards, and of first gentleman of the royal chamber. The office of great chamberlain was sold for more than twice that sum. In the catalogue of marketable employments we find more than 1900 seats in the different Parliaments and other royal tribunals. These were for wealthy and ambitious purchasers. To the less aspiring were offered the offices of controllers of the royal butter, tasters of the royal cheese, inspectors of the royal piggeries, and so on. Nor were these bad investments of money. The ministers, counselors, and judges, if ignoble, acquired, in virtue of their purchases, most of the privileges, and all the immunities of the Noblesse. The guardians of the palate and digestion of their sovereign also acquired an exemption from the burdens and indignities to which other roturiers were subject, such as the performance of *corvées*, the payment of *tailles*, and the lodging of soldiers in their houses. Eventually, as we shall hereafter see, the greater part of the vendible offices in the courts of justice became hereditary in the families of the purchasers on the condition of the payment of an income tax, usually known as the *Paulette*.

As administrator of the central government, the King of France also derived a large revenue from the control which he exercised over the coinage. Under the early Capetians, indeed, every great feudatory struck and issued money of his own for circulation within his own fief. But this power was gradually taken from them and transferred to the crown by a series of ordinances, commencing with the reign of Louis IX., and term-

inating with that of Charles VIII. In virtue of this prerogative, the king received, on all new coins, a seignorage, which represented, and which was supposed to correspond with, the cost of fabricating them. In the days of St. Louis that supposition was probably well founded; for, in later days, his management of the royal mint was always appealed to as the equitable standard for the observance of his successors. Those popular reclamations were, however, long ineffectual. To call in the outstanding specie, and to issue it again of a debased quality, but at the old nominal value, was one of the common resources of the treasury at all periods of great national distress. It was adopted in the disastrous reigns of John and of Charles VI., and amid those calamities which overcast the evening of the life of Louis XIV. It was employed, without any such apology, by Philippe le Bel, so recklessly as to earn for him the sobriquet of Philip the Forger. Nor were these dishonest acts declined by our Henry V. during his temporary administration of the government of France. Thus the seignorage properly due on gold and silver money was a legitimate, though not a very important method of recruiting the royal revenue. But the changes of the intrinsic worth of that money, which were made under the shelter of that prerogative, were at once among the most scandalous and the most lucrative of the means by which the treasury was replenished.

Fourthly. I pass on to the consideration of the extraordinary revenues of the French kings. These were composed of the proceeds of the taxes levied under the authority of fiscal ordinances.

Direct taxes, that is, the exaction of pecuniary payments for the support of the royal fisc, originated, first, in those services, military or servile, which the vassals, noble or ignoble, owed to their feudal lords; and, secondly, in their obligations to offer a certain tribute to him on the marriage of the lord's eldest daughter, and on the admission of his eldest son to the dignity of knighthood. All these burdens were, in process of time, commuted for money payments or *tailles*, and such *tailles* were voted, as occasion required, by the court or Parliament of the Fief. The municipal vassals enjoyed, under their charters, the double privilege of granting or refusing such imposts at their pleasure, and of being exempt from the liability to

make such grants at all beyond the limits of a certain prescribed maximum.

The *tailles* thus drawn by the seigneurs from their vassals within their respective seigneuries, were also drawn by the king from his vassals within the royal domain. It was not till the twelfth century that, in order to promote objects of common interest to the nation at large, he ever received or demanded such a tribute from all the provinces of the kingdom. It was then raised by the intervention and ministry of the great feudatories, and of their respective feudal courts. They imposed, and received, and paid over to the king what was thenceforward called the royal *taille*, in contradistinction from the seignorial *taille*.

Philippe le Bel (as I formerly had occasion to observe) was the author of another and more momentous innovation. He first raised a royal taille under the authority of grants made, or supposed to be made, by the representatives of the Noblesse, the Clergy, and the Commons. That practice (as we have seen) afterward became common, and even habitual. But it was comparatively unusual to convene for this purpose the States-General of the whole kingdom. The more frequent habit was to summon separately the States either of Languedoïl or of Languedoc, or of the particular provinces.

In the origin of this system, the States, whether general or provincial, were accustomed to collect, by officers of their own appointment, the supplies which they granted for the service of the crown. Nine deputies, that is, three from each of the three orders, were constituted superintendents. Subordinate to them were commissioners and receivers-general for the different provinces; and other officers called *Elus*, who apportioned the charge among the cities, communes, parishes, and individuals liable to it. The *Elus* were so called, because they were elected by the contributors.

In the reigns of Charles V. and of Charles VII., however, all these appointments were superseded by royal nominations, except indeed that, in what were called the *Pays d'Etats*, the *Elus* still retained their independent origin and powers. The *Pays d'Etats* were composed of those provinces in which the old provincial States were still accustomed to assemble. The rest of France were divided into what were called *Pays d'Election*.

The *taille* was a tax imposed at once *in rem* and *in personam;* that is, each contributor was rendered personally liable to pay a sum proportionate to the estimated value of his immovable property. It was not, however, levied equally in all places. All free cities (as we have already noticed) enjoyed a peculiar immunity as to the amount of this impost. Many cities, and some rural districts, were permitted to purchase a permanent and total exemption from it. In the reigns of the sons of Henry II. such sales were especially numerous. Neither was the *taille* levied equally on all persons. The nobles were free from it, partly because it was originally a tax paid to them, and not by them; partly because they (as it was alleged) rendered personally, in the field, the services from which their vassals were discharged by the payment of this tax; and partly because to engage in any kind of commerce would have worked a forfeiture of their rank; and yet, without such commercial dealings, they could not acquire the money necessary for acquitting themselves of such a liability. The clergy were also exempt, not only because they too were unable to enter into any trade, but chiefly on account of the privilege which they enjoyed, and on account of the duty which they invariably performed, of imposing on themselves their share of the public burdens of the state. The members of the sovereign courts, as a new though inferior noblesse, and the officers of the crown, on account of the dignity of their employer, participated in this valuable privilege. The result was, that the *taille* was a property tax affecting the *roturiers* exclusively. During long ages they bore this burden with an impatience which exhibited itself sometimes in indignant expostulations, sometimes in bitter jests or satirical songs, often in tumults and seditions, and always in that estrangement between the privileged and unprivileged classes, which was destined, in the fullness of time, to overwhelm all the privileges and all the institutions of the monarchy in one common ruin.

The *Capitation* tax was another direct impost, which originated in the wars and financial embarrassments of the reign of Louis XIV. It was designed to afford an impressive contrast to the aristocratic injustice of the *taille*. For the purpose of this impost, the people of France were divided into twenty-two classes, in the first of which stood alone the Dauphin and

the other princes of the blood. From the rate at which they were assessed, to the rate which attached to the smallest contributors, the scale descended by regular gradations through each successive class, the rich paying according to their wealth, and the poor according to their poverty. But between this equitable theory and the actual practice there was a wide distinction. The clergy were permitted to purchase an entire exemption from this burden on easy terms. The noblesse were permitted to choose assessors for themselves from their own body. The *Pays d'Etats* were allowed to commute the tax for a fixed contribution. The burden thus fell, as usual, with the heaviest pressure on the roturiers and on the *Pays d'Election;* that is, on the persons and on the places which were unprotected by any peculiar franchises.

The *Dixiéme* was, in substance, identical with the income tax, with which we are ourselves so familiar, the rate being the same as with us during the later years of the last war. It was payable on incomes of every kind; and it affected alike all classes of society, not excepting even the members of the royal house. The people of France at first cheerfully endured it as a burden necessary for enabling Louis XIV. to repel the threatened humiliations of Gertruydenberg. When that danger had passed away, incomes derived from land were relieved from this burden. In its altered form and diminished range it became, like all other direct taxes in France, a charge from which the privileged orders were, to a great extent, permitted to withdraw.

In addition to the direct imposts, which were thus payable by the contributors in money, there were others which were levied on them indirectly; that is, in the form of duties on articles of general consumption.

Aides (a word for which the expression, "duties of excise," is the best equivalent in our own fiscal vocabulary) were first inflicted on the French people in consequence of the iniquitous wars and invasions of Edward III. They had, indeed, been paid before that time in particular fiefs and during brief periods; but thenceforward they became both permanent and universal. The States-General of 1355 extended them to the sales of every description of merchandise.

The constitutional jealousy of the States and of the people

of France, even when most wakeful on other subjects, slumbered strangely when their kings assumed the right to impose taxes, not on the persons, but on the property of their people. Their acquiescence in the assertion and exercise of so dangerous a prerogative is best explained by the aristocratic contempt in which merchants and their pursuits were so long held among them, and by the consequent aristocratic habit of regarding trade as a matter which might be abandoned, without anxiety or inconvenience, to the absolute authority and regulation of the crown. In this, however, as in all other respects, the *Pays d'Etats* seem to have been in advance of the rest of the kingdom. They habitually, if not invariably, maintained the practice of sanctioning, by votes of the provincial States, every imposition of *aides* within their respective provinces.

There were, of course, great variations from time to time, both as to the rates at which the *aides* were payable, and as to the articles on which they were charged; but in general it may be said that wine and other liquors were the chief or only commodities on the *retail* of which such taxes were imposed; other goods being assessed for this purpose only when sold by *wholesale*, and then at a much lower rate *ad valorem*.

The *aides* were almost invariably leased out to farmers; and the granting of such leases was a source of lucrative patronage to the crown, and of grievous oppression to the people; for, even in the collection of these indirect duties, the spirit of privilege and exclusion was not altogether dormant. It was in a manner peculiar to themselves that the clergy and nobles paid them on merchandise purchased for their own consumption; and the inhabitants of particular districts were allowed to purchase a permanent exemption from them.

The *Douanes*, or revenue of customs, originated in France on political rather than on fiscal or commercial grounds. The great feudatories were accustomed to forbid the removal, from their respective fiefs, of wine, corn, or any other of the necessary articles of life, until they were satisfied that a supply existed within those precincts adequate to the wants of the inhabitants. Whatever they regarded as in excess of those wants they permitted the owners to export; requiring, however, that in every such case the exporter should be furnished with a license, for which he paid such a price as the seigneur

saw fit to exact. In imitation, though on a larger scale, of this example, the kings of France interdicted the removal, from the kingdom itself, of any raw or manufactured produce, except by their own special authority. The price paid, whether for the seignorial or for the royal license, constituted in reality, though not in name, duties of export.

In process of time, that name, *les Droits d'Exportation*, followed the substance and defined it. Export duties were then distinguished into four classes. These were, 1st, the *Droit de Haut-passage;* that is, the payments due for licenses to export goods beyond the realm; 2dly, the *Droit de Rêve;* that is, the per centage payable on goods bought for exportation by any alien; 3dly, the *Droit d'Imposition foraine*, which was, in fact, an enhancement of the two former demands to meet certain occasional exigencies; and, 4thly, the *Droit de Domaine foraine*, which was first imposed by Henry II. in substitution for the three former, and which differed from a modern tariff of export duties in nothing except, first, that it applied not to all the realm, but only to the greater part of it; and except, secondly, that it applied not to a few only, but to all of the articles which could be exported thence.

Duties of import, *Droits d'Importation*, were of much later introduction in France. Till the sixteenth century there was little or no domestic industry demanding protection, or capable of receiving it. But, in the reigns of Henry II. and Henry III., the import duties were established by royal ordinances, which fixed such imposts on almost all articles, at the same uniform rate of two per cent. *ad valorem*. What I have farther to state on this subject of Douanes will, however, be best reserved till we reach the administrations of Sully and of Colbert.

The *Octrois* were originally duties which, by the permission of the seigneur, any city was accustomed to collect on liquors and some other goods, brought within its precincts for the consumption of the inhabitants. What was thus paid was at first appropriated to the civic expenditure. Afterward the king authorized the imposition of octrois, to enable the municipalities the more easily to raise the *aides* necessary for his own service. In still later times, Charles IX. himself imposed a tax on all wines brought into any fortified places, with the de-

sign, as it seems, of substituting that local charge for the yet more unpopular *taille*. The imposts levied at the city gate having thus ceased to be exclusively a civic fund, either in their origin or in their use, the way was opened for that final innovation of which Emeri, one of the superintendents of finance during the minority of Louis XIV., was the author. By an ordinance of that period, the octrois throughout France were made payable to the royal treasury; and, to indemnify the citizens for the loss, they were authorized to impose on themselves similar duties of equal amount, as a provision for their own local charges. When we shall have advanced to the time of Colbert's ministry, it will be necessary to recur to this subject, and to explain the sequel of this invasion of the privileges and the property of the Bourgeois of the kingdom.

The *Droit de Timbre*, or stamp duties, formed, in the sixteenth century, a part of the annual budget of every French minister of finance. They were imposed on bills of exchange, on paper, cards, dice, gold and silver plate, and wrought iron.

The *Gabelle*, in the modern and more contracted use of the term, was the duty on salt, which seems to have provoked more frequent commotions and a more bitter resentment than any other article in the long catalogue of the fiscal burdens of the people. The salt mines and marshes of France were originally wrought by licenses from the seigneurs of the fiefs in which they were situate; but, in the fourteenth century, all the salt gathered in any part of the royal domain was made the subject of a royal monopoly. Under the superintendence of crown officers were established depôts, where alone that article could be sold by those who had collected it, or purchased by those who were desirous to consume it. The royal salt merchant paid the producers of salt according to a tariff, which was from time to time adjusted between them, by reference to the average prices at the retail markets. Another tariff determined the rate at which the consumer was to receive his supplies; but no one was allowed to exercise his own discretion as to the purchase or rejection of this commodity. Four times in each year every householder was compelled to buy as much salt as a third tariff determined to be the proper quantity, regard being had to the number and to the ages of the members of his family.

It is superfluous to point out the vexations and absurdities of such a system. To enhance them, the usual inequalities were maintained in the execution of it. The privileged orders were permitted to supply their own domestic wants by deducting what was requisite for that purpose from the produce of their own salt-mines or marshes. In various provinces total or partial exemptions from the gabelle were established, and the charge was consequently rendered at once more oppressive and more invidious in those places in which the weight of it was entirely unmitigated. It was, nevertheless, too lucrative an impost to be abandoned, even by the most equitable and magnanimous of the statesmen of France under the old monarchy. Sully, Richelieu, Colbert, and many others, introduced or attempted various modifications of the system; but it remained to the last a grinding and offensive monopoly of one of the absolute necessaries of human existence.

In 1664 another article was subjected to similar restrictions; and, though they affected no small proportion of the whole people, I am aware of no proof that, in this instance, any serious discontent, or even any grave remonstrances, were ever provoked by the demand. By a sort of universal consent, in which even the consumers of tobacco themselves acquiesce, the legislator of every civilized country is encouraged to subject it to duties of the highest possible amount, which will really produce the highest possible revenue. For this purpose, the importation of it into France was entirely prohibited, except at a few specified ports. When imported there, it was received into the stores of the government, and the privilege of retailing it was then sold to the farmers-general for the benefit of the treasury. The indigenous growth of tobacco was forbidden; not, indeed, absolutely, but in all cases in which the cultivator did not observe various restraints and precautions designed for the prevention of the contraband trade.

In the preceding enumeration of the sources of the revenue of the French kings, I, of course, have not attempted to include them all, but only such of them as were the most productive, or such as are most frequently mentioned by the French historians. It was not, however, from any of the ways and means already noticed that a king of France was accustomed to provide for the most importunate wants of his ex-

chequer. To meet the greater casualties of war, and not seldom to provide for the luxuries and extravagance of his court and household, he raised loans at his pleasure, to whatever extent he could procure them, on the pledge either of the whole or of any particular branches of his revenue. This is not the proper occasion to refer to the calamities which resulted from the habitual use and abuse of the public credit. But it may be convenient to observe that the *Rentes sur l'Hôtel de Ville*, of which we so constantly read, were the dividends which, by the terms of any such contract, were payable at the Hôtel de Ville either of Paris or of any other city. That locality was chosen for the convenience of the rich citizens, and as an additional inducement to them to lend their money. But the term does not necessarily imply that the Rentes were to be discharged out of civic funds, or even by civic officers; although on some occasions, and to a certain extent, those funds might be pledged, and those officers employed for that purpose.

To this very imperfect summary of the elements of the public revenue in France, I proceed to add a still more imperfect statement of the methods by which it was collected, expended, and audited. That unavoidable imperfection will not, however, I trust, in either case, defeat my immediate object, which is merely that of elucidating several passages in the history of that kingdom, which must always be obscure to those who have not a general acquaintance with, at least, the outline of these financial and fiscal arrangements.

Under the Capetian dynasty the earliest administrators of the finances of the crown were the great chamberlain and the other high officers of the royal household. To them succeeded the baillis and the prévôts, who, within their respective jurisdictions, were not only judges in all revenue cases, but also receivers, paymasters, and administrators of the produce of all dues and imposts owing to the king. The baillis and prévôts were themselves accountable to the Royal Council, or to the committee of that body which ultimately acquired the distinctive title of the Chambre des Comptes.

As in many other respects, so in this, St. Louis was at once an original, an enlightened, and a cautious reformer. By him was given the first example of an effectual separation of the judicial and the financial departments from each other. His

measure, indeed, applied only to the city of Paris; but it afforded at once the principle and the precedent for similar innovations in the other parts of the royal domain. His successors, in imitation of it, gradually but completely excluded the baillis and prévôts from all direct intervention in the receipt or expenditure of the public money, and committed that duty to a new class of officers called Receivers.

Still farther to centralize the fiscal economy of France, Philippe le Bel created a new ministry. At the head of it he placed an officer of high rank, entitled the Superintendent General of Finance; and, in subordination to him, he appointed other officers designated as Treasurers.

In the time of Charles V. there appear to have been only three such treasurers. Of these one was stationary at Paris, while the other two migrated throughout the different provinces, which, at that time, were embraced within the royal domain. In those circuits they investigated the conduct, examined into the contracts, and inspected the books of the various local receivers, and of all other persons through whose hands the public money passed.

The treasurers rendered their own accounts to the Chambre des Comptes.

The Chambre des Comptes had much in common with the Parliament of Paris, which, to a certain extent, participated in its functions. But the concord of those bodies was not much promoted by the kind of partnership which thus existed between them. The Parliament regarded the powers of the Chambre des Comptes with constant jealousy, and habitually endeavored to abridge them.

The Chambre des Comptes, on the other hand, asserted for themselves the attribute of judicial sovereignty; that is, they maintained that their judgment in fiscal suits or prosecutions could neither be reversed, amended, nor reviewed by any other tribunal. The Parliament denied to them this privilege, and insisted that they were themselves entitled to receive appeals from any such judgments. This dispute was at length settled by Charles VI. in favor of the Chambre des Comptes and against the Parliament. Again, however, arose a contest between them respecting the revision of the sentences of the subordinate financial officers or judges, either court claiming an

exclusive authority to receive appeals from such sentences; and again the pretensions of the Chambre des Comptes were supported by the king. Yet it was impossible to draw with a firm hand every part of the line defining the respective provinces of the two courts. The interests of the public revenue were so intimately blended with the interests of other branches of the public administration, that the members of each tribunal often met in the same place, and deliberated and acted in common upon questions falling at once within the appropriate provinces of each of them. There were also occasions when such of the members of the Chambre des Comptes as were in holy orders abdicated their places to lay members of the Parliament, as when a public accountant was to be tried for a crime which might induce a capital punishment.

In those provinces which, though reunited to the crown, did not form a part of the royal domain, there were separate Chambres des Comptes, and from their adjudications an appeal might be brought to the Chambre des Comptes at Paris.

In the fifteenth century, however, the jurisdiction of that chamber was materially abridged. Till then, like our own Court of Exchequer, it had been at once an office for auditing the public accounts and a tribunal for deciding all *contentious* cases affecting the revenue of the crown. The incongruity of these functions was sooner perceived and more frankly acknowlleged in France than in England, and to obviate the inconveniences of it another committee of the royal council was constituted, with the title of the *Cour des Aides*. To the Chambres des Comptes were reserved its ancient administrative functions, the judicial duties of that chamber being transferred to the new committee.

The Cour des Aides was declared by Charles VII. to be sovereign, in the sense in which I have already explained that expression. The difficulty, however, of finding an exact line of demarcation between the attributes of the different chambers was rather increased than diminished by this enlargement of their number. The Chambre des Comptes continually objected that the Cour des Aides were taking cognizance of questions really administrative, and in name only judicial. The Parliament were not less prompt to object that the Cour des Aides took cognizance of cases as involving a fiscal accountability to

the crown, which really fell within their own jurisdiction, as involving a breach of the general penal law. How completely these controversies refused the solution of any precise and definite rules, may be inferred from an ordinance of Francis II., of the year 1559, which directs that "*les causes connexes*" should be "*traitées par les deux cours fraternellement et aimiablement.*"

It would be a great error to draw from the preceding statements the inference that, as early as the fourteenth and fifteenth centuries, the fiscal administration of France had been reduced into a comprehensive, a well adjusted, or a regular system. Of the regulations to which I have reverted, few were in force beyond the precincts of the royal domain. In each of the provinces not within those precincts there were laws or customs more or less peculiar to itself, for regulating the receipt and expenditure of the public money, and the audit of the public accounts. With the increase of the national resources in the sixteenth century came a proportionate increase of the pecuniary embarrassments of the court and of the burdens of the people, and in the train of those burdens came so rapid a succession, and so great a variety of schemes for the management of the royal revenue, that it would be idle to attempt to compress, within the time at my disposal, any intelligible account of them. I must confine myself to a brief notice of such of those changes as it is most necessary to understand, with a view to the correct apprehension of the history of France.

1st. Then; in the reign of Charles VII., the proceeds of the royal domain were all made payable into the hands of one of the treasurers, who thenceforward acquired the title of *Changeur du Trésor*. The proceeds of the whole revenue of imposts were at the same time made payable to an officer designated as the *Receiver-general*.

2dly. Francis I. added to the two last-mentioned officers a third of the same general description, who was entitled the *Trésorier de l'Epargne*, to whom were made payable all the proceeds of what was collectively called the casual revenue.

3dly. It was not till long after the sixteenth century that any approach was made in France to the national system of establishing a consolidated fund of the whole income of the

crown, from which to defray the whole of the public expenditure. Each particular branch of the revenue was at that time appropriated to particular charges. Consequently, the Changeurs du Trésor, the Receiver-general, and the Trésorier de l'Epargne, each applied his receipts in satisfaction of those particular demands for which each was separately responsible.

4thly. But the Trésorier de l'Epargne soon greatly surpassed his two colleagues in the comparative importance of his functions. He became the keeper of a chest, into which the joint receipts of himself, of the Changeurs du Trésor, and of the Receiver-general were all accumulated, though not all blended together. Such was the importance of his office, that Francis I., the author of it, expressly enacted that it should never be vendible.

5thly. To the same monarch was owing the division of that part of France which was called the Pays d'Election into sixteen districts, called *Généralités*. They were so called because each constituted a financial department of *Recettes Générales*, at the head of each of which was placed a receiver-general. To each receiver-general were made payable, in the first instance, the proceeds arising within his *généralité* from the revenue of the royal domain, from the revenue of imports, and from the casual revenue.

6thly. Henry II. attached to each *généralité* a treasurer-general for the assistance, and a controller-general for the supervision, of the receiver-general.

7thly. Henry III. established at Paris a financial council, called the *Bureau Central des Finances*. It was composed of two treasurers and of two receivers-general. In each *généralité* he created similar offices. These institutions, though probably at first established for much more extensive purposes, do not appear to have been intrusted with any real power in the administration of the revenue. They seem rather to have been called into existence by the jealousy with which, in that disastrous reign, the king regarded all the ministers of his own authority, and to have been employed chiefly or exclusively as inspectors and checks upon the malversations of other officers of finance.

8thly. The *Chambre des Comptes*, amid all these vicissitudes, retained the general audit of the public accounts. But

Francis I. invented, and his successors continued, a device by which that audit was rendered ineffectual in respect of any money which it was the pleasure of the king himself to spend for his own personal gratification, or, as it was expressed, for his *menus plaisirs*. For such issues the public accountant acquitted himself, by producing to the court a simple order or check for the money, under the royal sign manual. Such orders acquired the name, so ill-omened in French history, of *Ordonnances de Comptant*.

The subsequent changes in the financial institutions of France will be most conveniently noticed when we reach the administrations of Sully, of Richelieu, and of Colbert. The preceding retrospect of the methods by which the revenue of the French kings was raised, received, expended, and audited in earlier times, tedious as it may have been, will yet, I trust, derive some interest from the light which it will throw on the subject to which I propose to direct your attention when we shall next meet. I shall then endeavor briefly to indicate the chief passages in the financial history of France, in the hope that they will conduct us to the solution of the question which I proposed at the commencement of this lecture—the question, that is, How did it happen that the Power of the Purse, which the theory of the French Constitution ascribed to the national representatives, never yielded in France its legitimate fruit of constitutional freedom?

Dec. 30. 1852

LECTURE XIV.

ON THE POWER OF THE PURSE IN FRANCE.

The rapid sketch which I laid before you when we met last, of the sources and of the management of the revenue of the kings of France, will now enable me to advance to a review, not less abridged, of some of the more remarkable incidents in the financial history of that country; after which I hope to make intelligible my answer to our proposed inquiry, "Why the growth of the Monarchical Despotism was not arrested by that Power of the Purse, which in theory at least belonged to the Seignorial Courts and to the States-General."

When Hugues Capet ascended the throne, and converted his vast hereditary estates from a mere fief or county into the domain of the crown, and into the only independent source of the royal revenue, the exigencies of his times and of his position constrained him to alienate no inconsiderable part of it in favor of his more powerful vassals. He forbade his successors to imitate his own example. But necessity overcame the remembrance or the authority of this prohibition. Like himself, each of his early descendants transmitted to his heir the royal domain shorn and narrowed by grants of very inconvenient magnitude.

The early Capetian kings, impoverished by these donations, were compelled to apply to their greater feudatories, or tenants in capite, for aid to meet the indispensable exigencies of the public service. On such occasions each lord convened the feudal court or assembly of his vassals. Having ascertained what was the amount of the funds required from them to meet the demand, they apportioned that amount among all the persons and the estates within the seigneurie which were liable to contribute to it. Such tailles, raised by means of such assemblies, constituted the only extraordinary resource of the earlier kings of the race of Hugues Capet in any war which his own ordinary resources were inadequate to support.

When Louis le Gros conferred charters of emancipation on the communes in the duchy of France, those kings for the first time acquired a regular revenue, not measured by, nor dependent on the legal obligations either of their immediate or of their more remote vassals. Within those communes, the citizens, by the terms of their charters, became liable to equip and maintain a militia for the king's service in his wars, or to pay to him an annual tribute in money.

The pecuniary wants of the royal government increased with its increasing strength. They were especially augmented by the heavy charges which the public treasury incurred for the support of the Crusades. It therefore became necessary to explore new financial resources; and, under the pressure of such difficulties, Louis VII., for the first time, hazarded the imposition, by his own authority, of a tax of one tenth of the estimated income of every free layman in France. The apology for this great usurpation was found in the sanctity of the ob-

ject in view. It was to defray the expense of the expedition of Louis to the Holy Land. The complaints were general and vehement; but, for a time, they were silenced by the supposed piety of the motives of the royal innovator. In that faith the people submitted to the burden, and a considerable sum was collected.

Such a precedent could not, of course, long remain unfruitful. Accordingly, Philippe Auguste imposed on his subjects what was called the Saladin Tithe; that is, an annual tax of the tenth of every man's income, to be applied to the deliverance of Jerusalem from the power of Saladin. Warned, however, by the clamors which the impost of Louis VII. had excited, Philippe Auguste obtained, from an assembly of prelates and barons, their sanction for this tribute. During the first year it was paid with a reluctant acquiescence; but, when the demand was repeated, the resistance of the people at large became so stern and resolute, that even that powerful monarch was constrained to prohibit the farther collection of the Saladin Tithe.

This disappointment induced him to devise a new and less invidious source of revenue. I refer to the exaction of money from the Jews. Strange as it may sound to ourselves, this henceforth became a regular and important part of the ways and means of the royal exchequer. In that age, as it has been often observed, a Jew was a kind of sponge, continually imbibing a rich moisture, to be as continually wrung out by the rapacious grasp of power. The Venetians, the Genoese, and the Pisans had at this time the entire conduct of navigation, as the Lombards had an exclusive enjoyment of commerce. But the Jews maintained an absolute and undisputed possession of the money-market. Their consciences were not affected by the denunciations of usury by the Church; and the law which forbade their acquiring land drove them to invest their property in whatever other forms were most easily portable. The risks attendant on the loan of such property occasioned, and even justified, the enormous rates of interest which they demanded. To diminish that risk, it was their custom to admit some needy but powerful patron into a partnership in their profits; and the king, who depended on them for advances of money on the credit of his future revenue, was

secretly well pleased that, in their dealings with others, they should obtain advantages which, in their dealings with himself, enabled them to assist him with the greater facility and on the easier terms.

In that ignorant age, the Jews and the Lombards were alone possessed of the arts of arithmetic and book-keeping. They thus became, in most European countries, the managers of the public revenue. From their real or supposed abuses of this power came into use the word *mal-tolte*, so frequent in French history—a word compounded, according to the Latinity of the times, of the two words *mala* and *tolta*. What they thus usuriously gained, they held, of course, on the most precarious tenure; and to escape, as far as possible, the exactions to which they were exposed by the cupidity of the king and the bigotry of the people, the Jews became the inventors of commercial bills of exchange—a device which enabled them to withdraw their funds out of any country without the hazard of the transmission of specie, and without the necessity of their own personal appearance within the jurisdiction of their royal oppressors.

Thus the Jewish people formed a secret monetary league, the ramifications of which extended throughout the whole of Christendom, and which was covertly and indirectly favored by all the sovereign princes of Europe. Defenseless by the law, hated for their religion, and envied for their wealth, they yet, by the strength of that confederacy, became the universal bankers of the civilized world. They endured and baffled all varieties of torture, indignity, exile, and massacre, and proved that commerce, as well as religion, may thrive upon persecution.

From the fiscal tyranny of the whole of the royal line to which he bore the relation either of heir or of ancestor, St. Louis presents a memorable exception. Six measures signalize his reign. 1. The one step which he took for increasing the ordinary revenue of the crown was that of reserving to himself the Droit d'Amortissement; that is, the right, when land was conveyed to any ecclesiastical body, sole or aggregate, to be compensated, by an annual money payment, for the loss of those feudal dues which, if the land had remained in lay hands, would have been payable on each alienation of it, or on the

deaths of all the successive tenants. 2. Instead of preventing the frauds of the receivers of the royal revenue by burning Jews, St. Louis established for that purpose those tribunals which were afterward called the Chambres des Comptes. 3. To relieve his people from the oppressions of those great feudatories who possessed the droit régalien of coining money, he obtained their concurrence in an edict which not only fixed a common standard for all coins, whether issued from the royal or from the seignorial mints, but which authorized him to punish all offenses committed against the coinage laws in any part of the kingdom. 4. For the defense of the contributors to the royal or seignorial tailles, he forbade the imposition of any burden of that nature until after an assembly of the vassals of the fief on which it was to be levied had been held, to deliberate, not only on the grant itself, but on all the details of the measure. 5. He required that, within the domain of the crown, the contributors to every such tax should freely choose nominees, from whom his own officers were to select such as were best qualified to make an equitable apportionment of the charge among the persons and the lands liable to it. 6. It had been customary for the feudal lords to prevent the export or import of grain, or other commodities, beyond the frontiers of their seigneuries, except by persons willing to purchase licenses for the purpose; and, by issuing such licenses in favor of particular traders only, the seigneurs converted this trade into an oppressive and lucrative monopoly. St. Louis forbade this practice, and required every seigneur to lay out, on the repair or defense of the public roads, the produce of all the tolls levied on goods or on passengers traversing them. Humble cares these, if contrasted with some of those which have excited the enthusiasm of historians and the applause of nations! prosaic virtues, perhaps, when drawn into comparison with the superhuman achievements so liberally ascribed to the real or imaginary heroes of the Roman calendar—yet cares such as, in the thirteenth century, could have engaged no ordinary intellect, and virtues surely to be preferred to the most sublime prodigies of self-conquering asceticism.

To Philippe le Hardi, the son and successor of St. Louis, is due, as a financier, the single credit of having invented a new source of revenue, in the sale of letters patent of nobility.

Philippe le Bel improved on this invention. He sold not only such patents, but, with them, the privilege of exemption from all public taxes in future—an anticipation of the revenues of the crown which, in the long catalogue of the desperate plunges of financiers in distress, is hardly to be rivaled for unthrift. But to have been thus the author of an exemption eventually so fatal to his country and his race, was not the single, nor even the most scandalous of the devices to which Philippe le Bel is indebted for the conspicuous, though inglorious place which belongs to him in the financial history of France.

First, the prerogative of altering, at his pleasure, the standard of the coin of the realm, which St. Louis had taken from his barons and repudiated for himself, was exercised by Philippe le Bel without decency and without restraint. His resort to this iniquitous method of raising money may be traced in the Ordonnances des Rois de France throughout almost every year of his reign. When he had large payments to make, he decreased the weight and fineness of the specie. When he had large payments to receive, he augmented both. He thus habitually provided for the public service and for his own selfish expenditure by a flagrant and undisguised robbery; and though even then sarcasm and ridicule had begun to exercise in France some part of that mighty power to which they afterward attained there, yet the sobriquet of Philippe le faux Monnoyeur, which he earned from his people, has come down to us only as a record of their ineffectual indignation.

Of Philip's contest with Boniface VIII.—of his consequent convention of procureurs or syndics of the cities to meet the prelates and barons of the realm—of his assembling the deputies of all those three orders—of the imposts which followed on the dissolution of the last of those meetings—on the insurrections which followed, and on the various provincial charters, and especially the Charte aux Normans, by which at length those disturbances were allayed, I briefly touched when addressing you on the subject of the States-General in the fourteenth century.

It remains to observe that, in the progress of the controversy, Philip discovered a mode of imposing on his people a burden, and of securing for himself and his successors a source of wealth, of far higher importance than those duties on the sale

of merchandise, which had so vehemently provoked the public indignation.

In the indistinctness which, in that age, hung over the limits of the royal authority, it was assumed by Philip, and was generally admitted by his subjects, that the regulation of trade was a royal prerogative, the limits of which no one could define, and with the exercise of which no one could properly interfere. The king therefore published an ordinance prohibiting the exportation from France of any goods, whether raw or manufactured. Having established this general rule, he proceeded to sell licenses for dispensing with it in particular cases. A large income was thus easily raised; and thus was gradually, though imperceptibly, established a real, though not an avowed, tariff of export duties of customs; for the customs were nothing more than the substitution of a fixed sum, payable on all exported goods by any person whatever, for the fluctuating sums demanded on licenses for specific exportations by particular persons. And to this modification of the rule or practice another still more momentous addition was to be ultimately made by virtue of the same prerogative. Licenses were required for importing as well as for exporting goods, and the sale of such licenses at a fixed price was precisely the same thing as the exaction of duties of import.

The financial policy of Philippe le Bel was adopted by Louis X. He also attempted to raise money by debasing the coin, and by imposing *ad valorem* taxes on the sale of merchandise. But the French people had now learned the efficacy of an armed resistance to fiscal extortion. They compelled Louis to recede from his attempt. They exacted from him a pledge that he would never resume it; and they demanded and obtained the public execution of Marigny, the superintendent of finances, to satiate the popular revenge, and to admonish all future financiers of the danger of provoking it.

Louis X. was, however, but an inapt scholar in the great art of conciliating his people. He did not, indeed, attempt to revive the *ad valorem* duties, but, with a perverse ingenuity, endeavored to raise money by the sale of judicial offices. The impolicy and unpopularity of the measure were enhanced by the disingenuous, or, rather, by the false pretexts under which it was taken. The offices of the judges could not be sold un-

til they had first been vacated. It was resolved, therefore, to expel the actual holders of them from the bench. With that view the king appointed commissioners charged to inquire into their judicial conduct. It was a device by which no one was blinded; and as one royal judge after another was removed on the report of this royal inquest, all who heard it knew that they were really removed, not for any fault of theirs, but only that their seats might be transferred to the highest bidder for the succession.

The wants of the crown were, however, insatiable. To supply them, Louis X., with characteristic duplicity, resorted to another artifice, the success of which curiously illustrates a great truth—the truth, I mean, that, in the distribution of her favors, Fame is at least as capricious as Fortune, and still more unjust; and especially so when she awards the laurel of philanthropy.

The want of money, and the determination to raise it by hypocritical pretenses when other means were unavailing, have procured for Louis no vulgar place among the benefactors of mankind. The abolition of slavery is the ground on which immortal renown is claimed (and claimed, in some cases, on very doubtful or slender grounds) for not a few of those who have flourished as philanthropists in our own times. In Louis X. of France they had a predecessor in that work, and a partaker in that glory, whom, however, they would have been very reluctant to acknowledge as an associate in their labors or in their reputation.

He enacted a law for the emancipation of all slaves within the domain of the kings of France. It is impossible to read this ordinance without admiring the unbroken continuity of character and of style—the indication of character—which has prevailed among the legislators of France during the last five centuries. Who would doubt that the following enactment was a quotation from one of the paper constitutions which have been ratified by as many constituent assemblies in the same country since the year 1789? "Since" (it begins), "according to the law of nature, all men ought to be free, we, considering that our kingdom is called and named France, and desiring that the fact may coincide with the word, and that all Frenchmen may be free men, do ordain that throughout

our realm the servile condition do give place to the state of liberty." Braver words could not be wished. But, to reach the true sense of them, some other aid is necessary than that of the dictionary. In order to carry the law into effect, Louis nominated a body of commissioners, and to those commissioners he gave instructions, which still remain as the most luminous commentary on the ordinance itself.

In France as in Rome, every slave was permitted to acquire a peculium, the amount of which seems, however, to have been limited either by custom or by law. The commissioners of Louis were to ascertain what was the amount of the peculium of every slave. They were to insist on that amount being paid by each as the price of his emancipation. If the slave belonged to the king himself, the whole price was to be paid into the royal treasury. If he belonged to any seigneur holding of the king, the commissioners were to deduct, for the benefit of the seigneur, as much of the money as would fairly represent the loss which he would sustain by the enfranchisement. Similar laws appear to have been made in imitation of this in the fiefs of the greater feudatories. Slavery was in this manner abolished, not, indeed, at the expense of the royal treasury as with us, but at the expense of the slaves themselves. The end which was thus accomplished was indeed so estimable as to reconcile us to the want of munificence, of justice, and even of sincerity, in the means adopted for the purpose. If a wiser man than Louis X. had then governed France, or if the pecuniary necessities of Louis had been less, the land might have yet had to endure the curse of slavery through many succeeding years. It is not always to the wise or to the good that society is indebted for the greatest social improvements.

Philip the Long inherited the wants of his brother and predecessor Louis X., but wrestled with them in a bolder and more generous spirit. He began by the suppression of improvident pensions, and by the revocation of ill-judged grants of the royal domain; a measure which, as might have been anticipated, excited to an equal extent the resentment of the grantees, and the delight of the people at large. But on the people, as well as on the grantees, the financial ingenuity of Philip the Long pressed heavily. Many a generation was to

pass away before their descendants were to cease to groan under the burden which he transmitted to them. His melancholy distinction as a financier is to have been the author of the gabelle, or salt tax. He imposed that impost without the concurrence of the States-General, but, as it is conjectured, in substitution for some other duties which he remitted. This, however, is but an hypothetical explanation of the undoubted fact that the tax was accepted without hostility, and endured with no apparent impatience. Perhaps this general submission may have been a tribute of the confidence reposed in Philip the Long by his subjects, for his memory is unblemished by the reproaches which attach to the names of his predecessors. He was animated by wise and patriotic purposes, and labored with zeal, if not with any eminent success, to promote a wise economy and a faithful administration of the public treasury by his revenue officers.

Under the reign of Charles le Bel, the revenue of customs, which had originated in the time of Philippe le Bel, in the sale of licenses for the exportation of goods, was first levied in the more direct form of export duties according to a settled tariff; an absurd and suicidal impost; for it fell on all the main articles of primary necessity, such as grain, hay, cattle, leather, wine, salt, and herrings cured by French fishermen, and rendered the producers of such articles in France unable to compete, on equal terms, in any other country, with foreign productions of the same kind.

Nineteen years had now elapsed since the last convention of the States-General of France. During all that time the royal power had been striving in vain to secure an adequate public revenue without recognizing the right of the contributors themselves to grant or to withhold it. But in the year 1332, Philip, the sixth of that name, and the first king of the unhappy house of Valois, was compelled by stern necessity to recur to that constitutional resource. The pretensions of Edward III. to the crown of France, though little supported or favored by the people of that kingdom, had yet suggested the obvious policy of conciliating them; for, in England, maxims of government, entirely repugnant to those of the French crown, had already taken deep root, and the claims of Edward might, therefore, be supported by a dangerous appeal to the example and the

principles of his hereditary states. Philip accordingly summoned the prelates and barons of his realm, and, as it is said, the deputies of his good cities, to meet together at Paris. The assembly was propitiated at their meeting, as usual, by a sacrifice to public anger or prejudice. Pierre de Montigny, the superintendent of finance, had acquired immense wealth, which contrasted invidiously with the wants of the public treasury. Whether justly or otherwise, he was supposed to have grown rich by the plunder of the public revenue, and died on the scaffold to gratify the vindictive jealousy provoked by his wealth and imputed crimes.

The progress of the arms of Edward, however, rendered it necessary to conciliate the public favor by sacrifices far more costly than the life of a superintendent of finance. In the year 1338 an ordinance was therefore promulgated by Philip, at the request of the barons, clergy, and commons, in which he declared that "the kings of France would thenceforward never levy any extraordinary tribute from the people without the consent and grant of the Three Estates; and that each of his successors should swear, on his coronation, to the observance of this engagement." I infer, however, from the terms of the ordinance, that it referred, not to the whole of France, but to Languedoïl only.

In deference to the authority of the best judges, I exclude the assemblies of 1332 and of 1338 from the catalogue of the States-General of France. There is, I believe, no extant proof that either of them was an elected body, though persons assuming the character of deputies of the Tiers Etât appear to have been present at the first, if not at the second of those conventions.

So unsettled were the ideas of mankind at that time regarding the real nature and limits of the respective provinces of the different members of the Legislature, that, almost immediately after the solemn pledge of the year 1338, Philip himself, without the consent of the States, or any reference to them, established custom-houses and duties of customs in many parts of France, which till then had been exempt from that burden. Yet this innovation does not appear to have been resented as a breach of faith, or even to have been regarded in that light. Apparently, the States abandoned to the king the regulation

of commerce as a matter too insignificant to merit their own attention. The duties of customs were paid by the Lombards, and the nobles, clergy, and commons of France seem to have regarded royal exactions, of whatever amount, from those merchants with complacency, as transferring so much of the public burdens from the denizens to the foreigner. That the Lombards repaid themselves in enhanced prices, at the expense of the consumers, however familiar a conclusion to ourselves, seems not to have occurred to the political economists of that age.

Under the pressure of the wars with England, the conventions of the States-General for financial purposes became the frequent and almost the habitual resource of Philip of Valois. But he labored to defeat their encroachments by dividing their power. He rarely, therefore, convoked the States of the whole realm collectively. At one time he summoned the Clergy, the Noblesse, or the Tiers Etât apart from each other; at another, the States of Languedoc or of Languedoïl only, and frequently the States of particular provinces alone. In all the different forms in which they were called together, these assemblies granted subsidies to the king. They consisted chiefly in *ad valorem* duties on the sales of merchandise, and especially of liquors.

The royal prerogative of regulating trade was meanwhile maintained and extended. In exercise of it, Philip established that monopoly of salt to which I referred in my last lecture. It was a measure so universally distressing and distasteful as at length to provoke an inquiry into the basis of the royal authority, real or supposed, in pursuance of which it had been taken. The States remonstrated with the king, and the king answered their complaints by the assurance that the trade in salt should be free as soon as Edward should have retreated from France. To Edward the financial embarrassments of his rival afforded a ground for merriment as well as for exultation. "He is indeed," said the English king, "the inventor of the *Salic* law;" a play on words memorable partly as perhaps the only recorded jest of its celebrated author, and partly because it is so near akin to the sarcasm by which the Romans avenged themselves on the censor who introduced the salt tax among them, whom they punished with the title of Livius Salinator.

At Rome as at Paris, it was regarded as a kind of outrage on society to impose any such burden on the consumption of an article so indispensable to the health of man, and so widely diffused by the bounty of nature—an outrage to be expiated in France by ridicule when no other vengeance was to be had.

But even among that laughter-loving race, all mirth was for the moment extinguished by the gloom in which the sun of Philip Valois was setting. His subjects were crushed beneath the weight of tailles, tithes, depreciations of the coin, forced loans, maltoltes, and continually-increasing taxes. The battle of Crecy and the loss of Calais had been followed by famine, by pestilence, and by the yet more fearful scourge of hosts of undisciplined soldiers, who, roving over the land in armed bands, filled it with spoil, and outrage, and desolation.

In the midst of these calamities the crown descended to John. On a former occasion I intimated, as fully as the time at my disposal permitted, what was the progress of the financial and constitutional struggle by which France was agitated during that unfortunate reign—during the regency of Charles V.—throughout the wars and the insanity of Charles VI.—under the usurpation of Henry V.—and amid the triumphs of Charles VII. In reviewing the proceedings of the States-General convened by those various monarchs, and by Louis XI., and during the minority of Charles VIII., I indicated the general progress of the financial history of France until the commencement of the Italian wars. My design was then, as it is at present, merely to draw an outline which might be filled up by your own studies and reflections. I proceed to the completion of it.

On the departure of Charles VIII. from France for the conquest of Naples, he was compelled to make many costly sacrifices for securing his dominions from external enemies during his absence. He purchased that advantage by large territorial cessions to the empire and to Spain, and by large payments of money to England. To raise that money, and to defray the expenses of the armament destined for the conquest of Naples, he was compelled to borrow largely from the bankers of Genoa and Milan. Such, however, as we learn from Philippe de Comines, was the difficulty of effecting those loans, that one of the Genoese merchants stipulated for interest on his money

at the rate of 42 per cent. per annum. By the aid of those advances Charles first won his brilliant though momentary triumph, and then, by the irreparable exhaustion of them, he was compelled to allow the French garrisons of his Italian conquests to waste away in sickness, in misery, and in famine. He returned to France with the shattered relics of his gallant army, and with the profound conviction that a complete reform in his financial system was indispensable to the accomplishment of his dreams of extended dominion. He had firmly resolved to effect such reformations, when death proved the fatal antagonist of this, as of so many other wise and patriotic, though tardy intentions. Charles bequeathed his good designs as a legacy to Louis XII., his successor.

Louis frankly accepted and faithfully discharged the obligation. In the long line of Capetian kings, three only have earned or merited the praise of a self-denying economy of the public treasure, and they may all be said to have been elevated to the number of the Saints. They were Louis IX., who was canonized by the Church; Louis XVI., who was canonized by the compassion and esteem of the whole Christian world; and Louis XII., who may be said to have been canonized by his people when they bestowed on him the glorious title of their Father. But they to whom public monuments are decreed in France must needs be distinguished from other men, not only by memorable achievements, but by memorable sayings also; and Louis XII. fulfilled each of these conditions of an enduring celebrity. It was his just and emphatic, though homely boast, that in his days a poor man might safely let his poultry loose into his paddock. Anticipating Elizabeth of England in refusing a grant of money proffered by his subjects, he also anticipated her in the wise and kind remark, that the money would yield more fruit in their keeping than in his. In the same homely but honest spirit he was accustomed to say, that a good shepherd would always have fat sheep; and, in a more lofty strain, that he would rather make his courtiers laugh at his parsimony, than his people weep at his extravagance. Nor were these generous and warm-hearted phrases mere exercises of the wit of the royal speaker. They were the genuine interpretations of his habitual policy.

He commenced his reign by refusing to collect the Droit de

joyeux Avènement. His troops were paid with so exact a punctuality, that he was able to punish severely, when he could not altogether repress, their customary exactions from their fellow-subjects. Although the noblesse claimed, and had exercised, the privilege of exemption from the aides or excise duties on liquors sold and retailed by them on their own account, he compelled them to sustain that burden. Though retaining the gabelle or salt tax, he abolished the monopoly of the sale of salt. He remitted a third of the tailliages; and, in the collection of the remaining two thirds, he effectually interdicted the abuses which the royal officers had been accustomed to practice with impunity for their own benefit. Haunted as he was with his predecessor's phantom of Italian conquests, he yet rejected, even in aid of that object, the vulgar expedient of taxation, and defrayed the expenses of that warfare by funds honestly borrowed on the security of the royal domain, and honestly paid to the lenders of it.

Louis XII. was, perhaps, hardly entitled to the general character of an enlightened sovereign. But he enjoyed that degree of mental illumination which probity and singleness of heart will afford to the simplest. He had the capacity to devise, and the integrity to observe, a policy both fiscal and political, by which his subjects were protected in the honest accumulation of wealth, and in the peaceful enjoyment of it. He was rewarded by their gratitude and benedictions. Without so much as a solitary addition to their public burdens, he enjoyed a revenue exceeding, in the proportion of three to one, that of the most affluent of the kings who preceded him. The number of his subjects, the splendor of his cities, the agricultural produce of France, her maritime power, her commercial capital, and the profits of her trade, foreign and domestic, all rapidly increased during the reign of the Father of his people. They mourned his death with genuine lamentations, and transmitted to their children's children the memory of his virtues.

There is a strange fatality in the affairs of the world, by which the rulers of it not seldom sow a harvest of future disaster even by measures conceived in the most upright, humane, and philanthropic spirit. And so it was with some of the acts of Louis XII.

Thus, for example, he required every public accountant, on

his appointment to office, to deposit in the public treasury a sum of money as a security against his possible defaults. Nothing could have been either better designed or more unfortunate. These preliminary deposits gradually passed into a price paid for the office; and thus the venality of public employments, one of the greatest of all abuses, resulted from the honest attempt to protect the revenue against abuse.

So again Louis XII., in the very spirit of Jeremy Bentham, had made the public revenue liable to the payment of all the expenses of civil actions. The burden proving enormous, he then ordained that each suitor should pay his own fees. Nothing more reasonable; but observe the result. In those days it was the fashion (I know not how else to express it) for a successful litigant in a lawsuit to present to the judge a box of sweetmeats; a mark of pleasant courtesy on the one side, and of good-humored condescension on the other. But when the royal edict was promulgated, expressly rendering the payment of his judicial fees the legal obligation of every suitor, judicial commentators on that edict determined, first, that the box of sweetmeats was a fee; secondly that the payment of it was no longer optional, but obligatory; thirdly, that it might be commuted for a money payment; and, finally, that the amount of pecuniary remuneration might be assessed between the successful suitor and the judge, at whatever sum they might mutually consider reasonable. The effect of this reading of the new law was, that, in the highest tribunals of France, favorable judgments were openly and unavowedly purchased of the judges, and the word *épices* (by which the box of sweetmeats had been always known) acquired a conventional meaning synonymous with that of the word *bribe*.

In these and some other cases it must be admitted that the integrity of Louis was not directed by a far-sighted prescience. He is one of the many rulers of the world who have demonstrated how easy it is to be at once a very honest man and a very unskillful legislator. His honesty, however, imparted to him the knowledge of many truths which are often hidden from the most sagacious monarchs, and among them the truth that, in the government of a great nation, there can be no real patriotism without an habitual parsimony.

It was a truth not revealed to his more celebrated successor,

Francis I. Affecting every species of glory to which the world renders an idolatrous homage, Francis accepted the worship of his flatterers, and repaid it by the spoliation of his subjects. His ambition aspired to attain, and his vanity was flattered by the assurance that he had actually attained, to the union in his own person of three characters, never seen in perfect combination before—that, as a prince, he was the most powerful; as a cavalier, the most accomplished; and as a patron, the most munificent of all the heroes of his own generation. To sustain this three-fold dignity, Francis surpassed all his predecessors in extravagance, creating public offices as mere articles of merchandise, and squandering the price of them with the most wanton profusion. Yet who shall dare to assume the prophetical office, unaided by actual inspiration? As some of the most upright measures of Louis XII. led the way to results which that patriotic prince would have most anxiously deprecated, so some of the most indefensible of the acts of Francis led to consequences over which the Father of his people would have most cordially rejoiced.

I have already attempted to explain how the collection and management of the various branches of the royal revenue were, in those times, distributed between the superintendent of finance, the provisional collectors, the receivers-general, the farmers-general, the trésoriers de France, and the trésoriers de l'epargne. There was then no central treasury, no unity of principle, and no established system of disbursing and accounting for the proceeds of the various duties levied for the use of the crown. No remedy could be more obvious, and none apparently more easy, than that of subordinating the receivers-general, and all their inferior officers, to one common head. But that reform alone, though it would have secured the revenue from the waste of so many distinct administrations of it, would have brought no immediate aid to the ever-necessitous Francis. Such aid might, however, be obtained by the creation and sale of ten new receiver-generalships; and to bring those offices into the market to the best advantage, it was desirable to render their powers as extensive, and their emoluments as large as possible. With this view, and apparently with no higher view, all the inferior collectors were subordinated to the receivers-general, and the receivers-general were

themselves placed in subordination to the trésorier de l'epargne, who thus became the centre and the regulator of the whole financial system. Thus concentration was effected in that branch of the public service. Selfishness accomplished the work of public spirit. The new receivers-general acquired, by their money, the powers which ought to have been gratuitously imparted to their whole body, from a regard for the public interest.

Nor was this centralization of the fiscal duties of the government the most important advantage of the creation and sale of the new offices. Until that time, respect had been practically shown to the ancient theory, which dedicated the *extraordinary* revenue of the royal domain to the public service, but placed the *ordinary* revenue of it at the absolute disposal of the king, according to his unfettered discretion. But that distinction was abandoned, both in practice and in theory, when the various sources of the royal income, being all made to flow through the same official channels of the receivers-general, were all brought under the control of the same superior officer, the trésorier de l'epargne. Thenceforward the whole receipt of the treasury was equally charged with the defense and government of the nation. Thenceforward the Parliament maintained that their ancient feudal control over the proceeds of the royal domain had, by this change, been virtually extended to the whole mass of the revenue with which those proceeds had been thus inextricably consolidated. By the creation of ten new receiver-generalships, Francis had sought, and had obtained, a round sum of money. As an undesigned consequence of that innovation, he imparted unity and method to the financial system of France; he narrowed his own absolute dominion over his own revenue; and he enlarged the fiscal powers of the single body in the state, whose authority was, to any extent, a counterpoise of his own.

His other financial measures were equally contracted in their design, but were not equally beneficial in their consequences. Some of them merit particular notice.

First. As auditors of the public expenditure, the Chambre des Comptes had been accustomed to consider the public accountants as entitled to an acquittance for all money which they had paid over to the king, in order that the king himself

might employ such moneys in the public service. The chamber held it indecorous or unconstitutional to inquire into the actual use made of such funds by the royal receiver of them. Availing himself of this courtly reserve, Francis became the inventor of that species of check, the mention of which so frequently occurs in French history under the name of *Bons*. A Bon was an order addressed to the trésorier de l'epargne, under the royal sign manual, in the following brief and emphatic words: "Bon pour mille (or any other number of) livres." Such orders were more accurately called "Acquits de Comptant," because, in the Chambre des Comptes, they were admitted as a valid acquittance of the accountant. Every one anticipates the result. To the objects of the royal favor and to the ministers of the royal pleasures, Bons were distributed with reckless prodigality, and the funds which should have supported the most important public services were thus irretrievably diverted to useless, or, rather, to injurious purposes.

Secondly. To Francis is to be ascribed the unenviable distinction of having founded the national debt of France; for, in the annals of his reign, we meet for the first time with the rentiers on the Hôtel de Ville of Paris; a class of public creditors whose claims, even then, amounted to 60,000 livres per annum, payable out of the revenue which was collected in that city, and which was properly applicable, not to royal, but to civic purposes.

Thirdly. Francis was also the author of that enormous increase of the amount of the tailles to which popular resentment gave the name of *la grande Crue*.

Fourthly. To any one who has ever vexed his soul in hunting a point of law through our excise acts, it may be some consolation to be told that the edicts of Francis were as copious as the statutes of George the Third, and much more original, in all the mysteries of cellar-searchers, inventories, and permits.

Fifthly. Francis had the farther credit or responsibility of having rendered the gabelle as oppressive in practice as it was always absurd in theory.

Finally. He is one of the earliest of the protectionists known to modern history, and one of the most consistent. Not content to protect the silk fabrics of Lyons against Italian and

Spanish weavers, and the groceries of France against the sweet products of other lands, he made laws to shelter French drugs against the medicines of the foreigner; a consequence of the doctrine of universal protection for home-bred commodities, from which, I suppose, the sternest of its modern advocates would shrink.

To employ these cold financial tints in depicting Francis I. may seem a kind of profanation. In our popular histories he is the hero of the Renaissance. In those pages, arts, sciences, and literature revive under his auspices. There he is the indomitable antagonist of Charles V. He is sententious and sublime in the lowest depths of adversity. In an age of dull utilitarians and angry polemics, he is still a gallant Troubadour, now breaking a lance with the bravest, and then doing knightly homage to the most beautiful. But when we turn, as turn we must, from this brilliant historical romance to our dry financial annals, the splendid mirage passes away, and nothing is left in sight but the sands of the desert—arid, barren, and unprofitable. The Paladin becomes an extortioner. The Mæcenas turns into a Sardanapalus, wringing funds from the miseries of his people to pamper dissolute women and effeminate courtiers; reveling in selfish waste in the very centre of the distress which his own follies had created; squandering on fêtes the funds denied to his half-starved armies; imposing on his subjects burdens till then unheard of in their national history; and repaying their sacrifices by such disasters and defeats as that history had never before recorded.

The celebrity of Francis I. is the tribute rendered to him by the venal authors whom he honored and maintained. But such celebrity is calamitous to every people among whom it is diffused. He really bequeathed to his subjects nothing better than the memory of wars waged during twenty-eight years to gratify a puerile and criminal ambition; of two fruitless invasions of Italy; of the destruction of two gallant French armies in that vain enterprise; of his own captivity and broken faith; of the abandonment of Naples and the Milanese; of the surrender to Spain of Flanders and Artois; of the hostile invasion of his northern provinces; of the insults offered by the invaders to his capital; of a permanent national debt; and of fiscal burdens exceeding eight-fold the revenue which had

enabled his immediate predecessor to maintain the kingdom in prosperity and in peace. Yet to this hour the illusions which surrounded the person of Francis in his own day are thrown around his name by the popular literature of his native land, and each successive sovereign, or aspirant for the sovereignty of that too sensitive race, is thus, in his turn, admonished that the single condition on which Frenchmen will accept the services or pardon the offenses of any ruler is that he shall govern them in such a manner as shall enhance the national self-esteem, and ~~as shall~~ satiate, on whatever terms, the national thirst for glory.

The faults of the four immediate successors of Francis have, therefore, received no such absolution as has been pronounced over his own; for their reigns were inglorious, from the commencement to their close, in whatever light they may be viewed, and are especially inglorious if we advert to their financial operations.

At the commencement of the reign of Henry II., Poitou, Guienne, Gascony, and five other less considerable provinces rose in arms against the oppressions of the salt tax. The rebellion was fierce, and eventually successful; for when the sword and the ax had exhausted their powers, Henry was satisfied or happy to exempt the insurgent states completely, and forever, from the obnoxious impost, in return for a large sum of ready money. This important branch of the royal revenue thus ceased to be productive through a large part of the kingdom, while, in the provinces which still labored under the burden, the productiveness of it was greatly diminished by the scarcely less improvident increase of the number and emoluments of the collecting officers.

In the creation and sale of useless employments, Henry was not content to imitate his father's example. He followed it with a recklessness so strange as might seem to have promised a speedy and overwhelming ruin. And yet, in obedience to one of those strange anomalies in human affairs to which I have so lately referred, in which folly and wisdom employ each other's weapons, some of the financial measures of Henry II., which, in their motive, were the least defensible, were in their result not merely innoxious, but productive of permanent and considerable advantages to his people.

I formerly explained how the Siéges Présidiaux gradually superseded the royal courts in the provinces of France. By a single stroke of his pen, Henry created sixty such tribunals; and as each of them was composed of nine judicial officers at the least, and usually of a still greater number, this measure enabled him to bring to market 600 judgeships at the same moment. It is difficult to suppose a financial resource more obnoxious to weighty and unanswerable objections. Yet, in reality, it had an effect resembling, as closely as possible, that of the law so recently enacted by our own Parliament for the establishing county courts in all the considerable towns of England; a law of which I may, in passing, observe, that it is manifestly destined to be the germ of the greatest social revolution ever advisedly produced among us by any deliberate act of our Legislature.

In the same spirit, Henry II., as we saw when we met last, attached the offices of treasurer-general and of controller-general to each of the sixteen generalities or fiscal districts into which Francis I. divided that part of France which was called the Pays d'Election. So far as appears, Henry's views were limited to the emolument to be derived from the sale of those offices; but there seems no doubt that the creation of them materially increased the method and regularity with which the public accounts were kept and audited.

I have already had occasion to explain the grounds on which I think that the invasion of the liberties, internal, judicial, and financial, of the Church of France, tended not to the increase, but to the destruction of the political liberties of the kingdom. I might at first sight, therefore, appear bound to add to the catalogue of the good works, or good designs of Henry II., his pecuniary dealings with the clergy of his realm. The concordat between Francis I. and Leo X. had authorized Francis to deprive them of a large part of their ancient jurisdiction, independence, and patronage. Accordingly, in the year 1539, the chancellor, Guillaume Poyet, framed an ordinance, which acquired from him the title of *la Guillelmine*, and which inflicted that disadvantage on the whole clerical order of France. Abandoned by the Pope, and at the mercy of the king, they proposed to repurchase their lost privileges at the enormous price of 3,000,000 of gold crowns according to one account, or

of livres according to another. Henry accepted the offer, and, after receiving as much money as the churchmen could raise by the sale of their plate, he proceeded, with their concurrence, to enact two ordinances. The first secured the balance due to him by an annual tax on every belfry in the kingdom. The second revoked the Guillelmine. Both ordinances were sent to the Parliament for registration. They accepted the first and rejected the second. Acquiescing in *both* of their decisions, Henry entered into possession of the belfry tax. It had been imposed as a security for raising 3,000,000 livres. It was continued in force until it had actually yielded him 12,000,000. But the Guillelmine was also continued in force; and thus the Church of France was plundered, by the King of France, of 12,000,000 of livres, without receiving any equivalent whatever.

The next of Henry's financial projects, if less promising, was also less dishonest. The accounts of the revenue officers attached to the army, the treasury, and the royal household were in arrear, and their balances had accumulated in their hands. To prevent the recurrence of such irregularities, Henry doubled the number of those offices. Each accountant was to serve only in the alternate years, and each, during his year of inaction, was to bring up the accounts of his year of active service. Such was the avowed motive and apology for the change. The real motive was, that it enabled Henry to put up to sale as many offices in all these departments as he had found established there.

The last of his financial devices is, at first sight, not only blameless, but commendable. It consisted in imposing duties of import in cases where, till then, duties of export only had been levied. But ignorance and folly would not abdicate their established authority, even in doing an act which wisdom itself recommended; for many of the provinces of France itself were, for the purposes of this tax, placed on the footing of foreign countries; and the import duties thus in effect became prohibitions of intercourse between the different districts of the same state, to the extreme prejudice of the trade and prosperity of them all.

In the reign of Francis, the successor of Henry, the melancholy art or science of taxation altogether languished. For the

first and last time it was then numbered among the *artes perditæ*. Yet such were the wants of his treasury, and such the sufferings of his people, that, as we formerly saw, he was constrained to adopt the remedy so hateful in royal eyes, of convening the States-General after they had fallen into disuse, if not into oblivion, during a period of more than seventy years. They were accordingly convoked in the city of Blois, and were holden there, though not by him, but by his brother and successor, Charles IX. Of that meeting, and of the second convention of the States in the same city under Henry III., I have already offered such an account as I have thought it necessary, or rather as I have found it possible, within these narrow limits of time, to lay before you. Passing over, therefore, the subject of those assemblies for the present, I observe that, as a financier, Charles is chiefly memorable for two innovations:

First, he established, with impartial injustice, taxes payable to the crown by all suitors for redress in the judicial tribunals; a subject on which, indeed, an English commentator on the fiscal laws of our neighbors must moderate his zeal and temper his invective; for the youngest of my audience is old enough to remember the time when, despite our ancient boasts and hereditary reverence for the Great Charter, similar imposts were levied on all suitors in Westminster Hall.

But, secondly, if we have imitated Charles in his first example of exacting contributions from the distressed in the moment of their difficulties, we have not yet copied his second example, of striking at the prosperous in the hour of their triumph. That blow was aimed at the public accountants. It was judged, and probably it was rightly judged, that they had all fattened on ill-gotten gains. To have tried and punished them would have been praiseworthy. To have imposed on them heavy mulcts might have been not unreasonable; but to subject them to a large future annual impost (the method actually taken) was but indirectly to authorize their future extortions, on the tacit understanding that, by means of the new tax to which they were subjected, the king himself was to participate in the plunder.

Difficult as it is to find any subject for eulogy in the disastrous reign of his successor, Henry III., we may safely applaud two of the three additions which he made to the burdens of

his people. The first was a tax on the retailers of spirituous liquors; the second, a tax on all appointments to public offices. The profits both of the vintner and of the employé may well have admitted, and may often have demanded, such a reduction. But the maîtrise, or tax on admission into any trade, was, in effect, the creation of a monopoly. The purchasers of such licenses therefore regarded the price paid for them, not with patience merely, but with complacency and favor. It protected them against the competition of all traders who could not afford to make similar payments, and who were, therefore, prevented from passing from the condition of apprentices into that of masters.

I gladly emerge from these wearisome details, and from the dark era to which they relate, into brighter times and more interesting topics.

When the house of Valois had become extinct, and Paris had at length submitted to Henry IV., the miseries of France had reached a height far exceeding even that of the woes by which it was visited two centuries afterward, during the agony of the great revolution. The victims of the religious wars had not been much, if at all, less than a million souls. Nine great cities had been demolished. Two hundred and fifty villages had been burned. The number of houses destroyed was calculated at 128,000. Commerce, manufactures, and even agriculture had been abandoned through extensive districts, and were languishing in all. The single branch of industry which flourished was that of the tax-gatherer. The single class of people who lived in abundance were the great lords and châtelains, who, with their armed followers, wrung the means of subsistence from the terrified and half-starved peasantry.

From the letters of Henry himself, we may best gather what was at this time the distress of the royal treasury. "I have," he says, "neither a horse to ride, nor a saddle and bridle to put on him if I had. All my shirts are in rags, and all my doublets out at elbows. My kettle is often empty, and on the last two days I have been dining with one and another as I could, for my purveyors say that I have nothing to put on my table." From the Memoirs of Sully, and from the work of his contemporary Fromenteau, might be drawn a vivid picture of the financial embarrassments amid which the first of the Bour-

bons ascended the throne of his ancestors. The national debt amounted to 345,000,000 of the livres of that age, or to about 15,000,000 of pounds sterling, of which a large part bore interest at the rate of 12 per cent. per annum. The gross amount of the taxes annually collected was 170,000,000. The annual net receipt of the treasury was only 30,000,000, of which 19,000,000 were absorbed for the interest of the debt. Thus of each 170 livres which the people paid, the proportion actually applied to the service of the state was only 11 livres.

Henry first attempted to remedy these evils by appointing a revenue board of eight officers. The following is his own account of the result of that experiment: "Instead of one gormandizer, whom I had before, I have helped myself to eight. These rogues, and the swarm of subordinates whom they have brought after them, manage, by one trick and another, to eat up the whole hog. They have already made away with 100,000 crowns, with which I could have driven the Spaniards out of France."

Sully then came to his master's aid. Our chancellors of the exchequer, laborious as they may be, never dream of such toils as fell to his lot. His sword was as necessary to him as his pen, for he had to challenge to mortal combat, or accept the challenges of the noble antagonists of his economical reforms. His stud of thorough-bred horses were his most effective subalterns, for he had to gallop from one end of France to the other to detect abuses and to fill his treasure wagons. The passages of his house were blocked up with bags of silver and with suitors for a share of it, until, with rough words and still rougher blows, he had defended the coin and beaten back the suitors. The gallant baron also, when occasion required it, had to be as expert as the best disciple of Loyola in pious frauds, to circumvent the knaves who were attempting to circumvent him; as, for example, when he lamented to some revenue officers his irreparable loss of a long series of vouchers, which, however, he triumphantly exhibited to them as soon as, in the belief of his statement, they had sufficiently falsified their accounts and exposed their knavery.

The tone in which the great financier chuckles over his address in baffling rogues at their own weapons is, however, more pardonable than his exultation in the ruse which he played off

on the Assembly of Notables at Rouen, whom Henry had convened to aid him with their advice as to the improvement of his finances. They proposed that a committee of their own body should take on them the administration of half of the royal revenue, leaving the other half to be administered by the king. Sully states himself to have warmly and successfully advised the acceptance of this proposal. But the sagacious minister took care, as he informs us, so to divide the revenue as to reserve to himself the productive and least unpopular sources of it, assigning to the more ignorant committee the proceeds of all the taxes which were most unpopular and least profitable. He tells, with infinite glee, how distinctly he foresaw the inevitable result, and with what pleasure he witnessed it; how the committee, bewildered, harassed, and fatigued, fell into disgrace with the people, and became disgusted with their undertaking; how he, on the contrary, sustained triumphantly his share of the burden which he had so ingeniously divided between his shoulders and theirs; and how gladly they at length abdicated their ungracious office, leaving him without a rival in the administration of the finances of France.

They could scarcely have been transferred into hands more worthy of such a trust. His character was not, indeed, cast in a very sublime mold. It was composed of none of those qualities which we ardently love or passionately admire. He rose to the eminent station he fills in history by homely virtues, which might seem to be within the reach of most men—by calm self-possession—by a courage which nothing could daunt—by an industry which nothing could fatigue—by a perseverance from which caprice never diverted him—by a heart-loyalty to the king he served—by an honest zeal for the welfare of his country, and by an habitual sympathy with the weak and the oppressed. Yet there was not a spark of enthusiasm in his nature. Neither the gayety of youth nor the experience of old age could ever withdraw him from the path, however irksome or invidious, by which his own wealth and greatness might be best secured. He first introduces himself to us in his Memoirs in the character of an amateur horse-dealer in the camp of Henry, and he takes his leave of us in possession of dignities which might have satiated the ambition of a Guise, and of wealth which might have quenched the cu-

pidity of a Law. His Protestantism seems to have been little more than a domestic tradition, a party badge, and a point of honor. But if Sully did not live in very high latitudes of thought or sentiment, he lived under the guidance of clear good sense and of many honest instincts. He could never have been the founder of a school of wisdom, or of any independent dominion, political, military, or intellectual; but he has bequeathed to the wise an example from which they may draw many a useful lesson for the successful conduct of life in the highest and most arduous of all subordinate secular employments.

Sully and his master quitted together the war which they had so long waged against the Catholics, to fight side by side against the jobbers, impostors, usurers, and depredators of their age. His "Economies Royales," and "Le Secret des Finances" by Fromenteau, exhibit the whole plan and conduct of those later campaigns. The following brief epitome of them may be enough to stimulate your curiosity to consult those originals.

The financial career of Sully began, it must be confessed, with an imitation of the worst examples of the worst of his predecessors. He increased the public debt, he raised the salt duties, he extorted a forced loan from the public accountants, and he created and sold many public offices. But the folly of one period is often the wisdom of another. Wretched as these resources were, none other could immediately be found to rescue Paris from the danger, and France from the invasion, which the surrender of Amiens to the arms of Spain portended. To meet that alarming crisis, political economy, and all other economies, were most judiciously given to the winds. But the Treaty of Vervins, which restored peace to Europe, restored also to Sully the means of acting on more enlarged and permanent principles.

The first of those principles was, in his own words, that the land, and the labor bestowed on the land, *sont les deux mamelles de l'état.* His inferences from this doctrine were, first, that agriculture should be relieved, to the utmost possible extent, from all fiscal burdens; and, secondly, that the expenditure of the state should, as far as possible, be thrown on the non-agricultural classes of society.

Pursuing this theory to its practical consequences, Sully remitted to the landholders arrears of tailles amounting to 20,000,000 of livres. He reduced the tailles for future years to two thirds of their former amount. He exempted all the instruments, animate or inanimate, of agricultural labor, from the liability to seizure for debt. He discharged the cultivators of the soil from the burden of maintaining the king's troops either on their march or in their quarters. He prohibited all local taxation by the governors of provinces or by the lords of seigneuries; and he abolished all duties on agricultural produce when sold in the public markets. The cry of agricultural distress has seldom been met with a response so cordial.

To remit taxes is, however, an easy and a grateful task. To combine this hazardous luxury with a just regard for the public service, and a conscientious respect for the public credit, is the crucial test of a minister of finance. It is a test by which Sully may be tried and not be found wanting. I find no less than five great measures of economy by which he justified his remission of duties.

First. He suppressed every superfluous office of emolument, beginning with those which he had himself created and sold. But these reductions were invariably made with a cautious regard to the public faith which had been pledged to the purchasers.

Secondly. He effected a saving of 600,000 crowns per annum by paying directly from the public treasury the interest of a debt for which certain specific revenues had been mortgaged. The creditors had, till then, been in receipt of the mortgaged revenues, and had, of course, discovered that the costs of the collection swallowed up whatever remained after the discharge of their own annual interest.

Thirdly. Sully, in the same manner, enforced the restitution to the crown of crown estates of vast value, which he found in possession of public creditors, as a security for the loans advanced on the mortgage of them; but, at the same time, he repaid, by means of a temporary loan, the whole of the principal sums which were really due on that security.

Fourthly. He expunged from what was called the Great Book of France public debts amounting to 6,000,000 of livres per annum. A "commission of inquiry" (I have more than

once had occasion to remind you that there is no new thing under the sun) enabled him to effect this operation, by proving that many of the public creditors held under invalid titles, or had been inscribed as creditors against the public for valuable considerations which had been nominally, and not really, paid.

Fifthly. The same inexorable avenger of frauds doubled the receipt of the treasury from the farms of the customs and salt tax, by setting up those farms to auction, after having first distinctly ascertained that the existing leases had been obtained by false representations of the real produce of those branches of revenue.

To these measures of economy is to be added the imposition of a solitary tax to sustain the public credit and expenditure. It borrowed the name of La Paulette from Charles Paulet, the projector of it. At that time public offices had become domestic inheritances. The evil was as irremediable as it was grievous. Paulet therefore proposed to impose a tax upon all public offices, amounting to one sixtieth part of their annual emoluments. It was an impost welcome to the office-holders themselves, as it secured the permanency of their titles. It was welcome to Sully and to the public as being a kind of salvage, where the wreck and loss would otherwise have been total.

It remains to mention the last of Sully's financial measures. It consisted, *first*, in devising a new system of rendering and keeping the public accounts as a security against the frauds which had, till then, found shelter under the ancient confused and irregular system of accounting. It consisted, *secondly*, in establishing the all-important rule (which to this hour is not in full force among ourselves) that no public money should be issued by any collector of it except in pursuance of a royal ordinance. But here he paused. It was one of the errors of this great man to despise commercial interests, and one of his infirmities to dislike commercial men. When, therefore, a great merchant of Bruges, Simon Stephen by name, interpreted to him the counting-house mystery of double entry, and advised him to adopt it into the financial accounts of France, Sully rejected, with ignorant contempt, the best possible security against the frauds with which he was warring.

Such are the operations on which the financial fame of Sully depends. They attest his courage, constancy, and vigorous understanding, but they do not indicate any profound insight into the principles of political government and political economy. Such studies were, indeed, foreign alike to the man and to his generation. So defective was he in these sciences, that he even increased those transit dues, which placed the adjacent provinces of France in the same mercantile relation to each other as to foreign countries; extending, for example, the customs duties on goods borne across the Loire to many articles till then exempt from them; exacting a tribute on all merchandise entering or quitting the city of Lyons; and requiring that all goods sent from that city to distant markets should be carried either through Vienne or St. Colombe (however great the deviation), because in those two places, and there alone, were stationed collectors of the export duties. It is with still greater surprise that we read that Sully was the single opponent of the proposal for retaliating against the ships of foreign nations in French ports the heavy charges to which French ships were subject in the ports of any such nation; that we find him resisting the introduction of Dutch and Flemish artisans to teach, in France, the arts which had enriched their own countries; and that we learn that he discouraged both the growth of mulberry trees and the manufacture of silks, brocades, and satins, because the tendency of such arts was to foster an enervating luxury.

The influx of precious metals from South America had, in his age, so augmented the price of all articles of general consumption, that the royal revenue became continually less and less adequate to sustain the charges to which it was liable. Sully had recourse to many remedies to arrest this unwelcome change in the value of money. At one time he altered the money of account. At another he forbade the importation of foreign coins. Then he prohibited the export of specie, and finally he raised the nominal value of all the gold and silver coins current in France. It is needless to say that he labored in vain. The world had yet to learn that gold and silver, whether with or without the impress of a national mint, obey the same laws which regulate the prices and the interchange of all other merchantable articles.

We must admit, therefore, that Sully was ignorant of many economical truths with which the striplings of our own times are familiar, but he understood the great science of elevating a ruined people into a prosperous nation. Under the house of Valois, France had been plunged into what might have seemed an abyss of irreparable calamities; under the administration of Sully it was restored to peace, to order, and to wealth. He found the revenue overwhelmed with debt; he not only left it unencumbered, but amassed a vast treasure for the defense of the nation or for foreign conquest. He found the French liable to annual taxes amounting to 30,000,000; but he reduced that amount to 26,000,000 per annum. He found the royal palaces in decay; he restored them to splendor. He found the fortresses of the kingdom dilapidated; he renewed their strength and increased their number. Churches, hospitals, and other public edifices arose on every side. The highways and bridges were repaired. The Pont Neuf, the quays of Paris, and some of the principal streets of that city, attest, at this hour, the grandeur to which the parsimony and thrift of the real ruler of France, in the reign of the first of the Bourbons, were subservient. The royal arsenals were filled with munitions of war. A navy was rising in the French dock-yards. A vast system of internal navigation was in progress for connecting the Seine with the Loire, the Loire with the Saone, and the Saone with the Meuse; and rewards, becoming the dignity of the King of France, were bestowed on all who had attained to eminence in art, or science, or in the public service. If Henry's celebrated wish, that the poorest peasant in his kingdom might eat meat every week-day, and have a chicken in his pot for his Sunday's dinner, was not exactly fulfilled, yet no slight advance had been made toward the fulfillment of it. In his reign the cultivators of the soil were rescued from many of the worst tyrannies of the noblesse, of the soldiery, and of the tax-gatherers. Every man planted in quiet and reaped in safety. The artisan received the hire of his labor. The merchant gathered in the profits of his capital. Astræa had not, indeed, revisited the land; but the iron age of war, and famine, and fiscal oppression had passed away. Relieved of the burdens beneath which they had so long groaned, the French people sprang forward in the path of improvement

with a youthful elasticity of spirit, indicating that all the nobler organs of social life in France still retained their healthful tone and their unimpaired vitality.

And yet neither Henry nor his great minister restored to their nation any security against the recurrence of the abuses which they had so arrested. In later times those evils reappeared, if not with equal intensity, yet in a character substantially the same. Two centuries were yet to pass without a serious effort to introduce constitutional freedom; nor could the power of the purse, which, in theory at least, still belonged to the representatives of the French people, yield that its legitimate fruit throughout the whole of that protracted period.

I proposed at the outset to inquire, What was the true cause of the failure of a hope which the experience of other nations might teach us to regard as so reasonable? Throughout the preceding details, and in my former lecture on the Sources and Management of the Finances of France, I have attempted to prepare the way for what I suppose to be the true solution of that problem.

First, then, the principle that the people could not be lawfully taxed except by their own consent, given by their own representatives, was at all times recognized much more as a theory with which to polish rhetorical periods, than as a practical rule for the government of the different members of the state. The substitution of splendid phrases for plain sense and for practical measures is one of the inveterate maladies of the national mind of France.

Secondly. As I attempted to show in a former lecture, this principle was barren of its proper fruits, because the representatives of the French people were not summoned except in extreme exigencies; because, when summoned, they were content to remonstrate and petition, instead of insisting on their right to legislate and to act; and because they failed in the skill now to yield and now to resist, at the right time and in the right measure. Or, more briefly, all the reasons which, as we have formerly seen, rendered the States-General incompetent to their other functions, rendered them also unfit to wield the power of the purse as a weapon of constitutional liberty.

Thirdly. The assumption by the kings of France of the

legislative power was fatal to the popular power of the purse; for although the recognized theory still refused to the king the right to make a revenue law, yet the distinction between the different classes of enactments was not easily drawn by the most upright sovereigns, and was very easily obliterated by all the rest.

Fourthly. The assumption by the Parliaments of the right to an effective veto on the royal enactments had a direct and powerful tendency to render the popular power of the purse sterile of constitutional freedom; for, in consequence of that assumption, the Parliaments combined their judicial powers with a share in the legislative authority. When, therefore, they had assented to a law as legislators, they were at once able and bound to give effect to it as judges. And that assent was, in fact, easily obtained even to a royal ordinance, which illegally imposed new and unconstitutional tributes on the people at large; for as the Parliaments comprised no representative or popular element in their composition, they were seldom either well disposed or well able to oppose more than a faint and irresolute resistance to the royal will; and their resistance, even when most resolute, could be imperiously overruled at a lit de justice.

Fifthly. The want of a really independent system of judicature deprived the people of France of any means of arresting the assumption by the crown of any fiscal prerogatives to which it from time to time laid claim, though such claims were often invalid, and were not seldom destitute of any foundation whatever.

Sixthly. Those royal prerogatives, especially in whatever related to trade, whether internal or external, were so vast as always to rescue the kings of France from much of the dependence on the good will of their people, into which they might otherwise have been brought, and as usually to afford them the ready means of corruption by a patronage which, at the moment, might seem to cost themselves nothing.

Seventhly. The wars with England, the Italian wars, the rivalry with the house of Austria, and the wars of religion, which, from 1337 to 1598, that is, during more than 260 years, subjected France to such calamities and such waste of treasure as no other European state has ever had to sustain, while they

proved the marvelous extent and elasticity of her resources, proved also a fatal obstacle, or rather a succession of fatal obstacles, not only to economy in the management of the public revenue, but also to any use of the power of the purse as a counterpoise to the powers of the sceptre and of the sword.

Eighthly. The establishment of a standing army under Charles VII., and the permanent appropriation to its support of the seignorial tailles, were among the disastrous results of those wars, and enervated all the efforts by which, from that time forward, the popular party ever sought to restrain the authority of the king and to assert their own. The taille, though charged by the States-General of Charles with an annual liability of 1,200,000 livres only for this purpose, became virtually liable for it to an indefinite extent.

Ninthly. The exemption of the privileged classes from the tailles, and from some other of the more oppressive taxes, by destroying all community of interest between the different ranks of contributors to the public treasury, prevented their ever adopting any decisive and unanimous measures to arrest the bursal encroachments of the crown upon the people. Or, rather, the crown could hardly make any such encroachment without finding active allies in one or more of the orders of the state.

Tenthly. The isolation of the Clergy from the Nobles and the Tiers Etât in whatever related to taxation, was a privilege which the Church possessed and boasted at the expense of the secular interests of her own members, and of the commonwealth at large. Her gratuitous gifts were gratuitous only in name; but they enabled the king first to disregard, and then to overrule, the more prudent resistance of his secular subjects to his most exorbitant demands upon them.

Eleventhly. The right, or supposed right, of the crown to anticipate the royal revenue by loans made without the consent of the States-General, or even of the Parliaments, was among the most habitual and the most fatal of the causes of the impotency of those bodies to oppose any effectual obstacle to the expenditure and to the financial independence of their sovereigns.

Twelfthly. The ill conduct and ill success of the popular insurrections by which, at different times, the people attempt-

ed to fetter the hands of their wasteful monarchs, not only counteracted the designs of the insurgents, but strengthened the power which they had so fruitlessly endeavored to coerce.

Thirteenthly. When, occasionally, fiscal reforms were extorted from the crown, they were invariably destitute of any effectual guarantee for the faithful observance of the concessions so made to the public voice. To such disappointments succeeded disgust and indifference, if not despondency, among the most zealous reformers.

Fourteenthly. The same results were induced by the want of any effective plan of rendering and auditing the accounts of the kingdom. The abuse of the acquits de comptant was itself enough to baffle every attempt to bring the government into any due subordination to the people in the use of the funds raised for the civil and military service of the kingdom.

Finally, as I shall attempt to show in future lectures, public opinion, as expressed by the most eminent of the French authors, did nothing and attempted nothing to strengthen the foundations or to explain the importance of the great constitutional doctrine of the French monarchy.

I have thus endeavored to compress into the shortest possible compass my answers to the problem with which I commenced the present lecture. Your own study of French history will, I trust, enable you both to appreciate the accuracy of those answers and to multiply their number.

Jan. 31, 1853.

LECTURE XV.

ON THE REFORMATION AND THE WARS OF RELIGION.

To have emancipated the human mind from the errors of Papal Rome is but one of the many triumphs of the Reformation. In almost every part of the Christian world, that great religious enfranchisement was followed by civil liberty, as at once its offspring and its guardian. But in France it was otherwise; and I proceed to inquire how it happened that the protest made by so large a part of the French people against the tyranny of the Roman Church was not followed by any effect-

ual resistance to the despotism of the reigning dynasty. To render the answer to that question intelligible, it is necessary that I should indicate some of the principal steps of the progress of the Reformation in that kingdom; and, if that preface should appear disproportionately long, I would bespeak your indulgence till it shall appear what are the uses to which it is to be at length applied.

For the Protestant Reformers of the sixteenth century has been claimed a spiritual lineage, ascending, in unbroken succession, through the Moravians, the disciples of Huss and of Wickliffe, the Albigenses, and the Paulicians, until it reaches the primitive ages of Christianity. For another race of Reformers has been traced a different genealogy, ascending through Savonarola, Gerson, D'Ailly, and Bernard of Clairvaux, until it reaches the Fathers of many ancient synods, who clung with passionate fondness to the Church which they endeavored at once to purify and to maintain. To subdue the first of these generations of men by terror, and the second by blandishments, had, during many ages, been the office of the Papacy, when a new and irresistible power interposed as the arbiter in that protracted strife. The human mind, aroused from the slumber of centuries, announced, in ten thousand different but concurring voices, that the dominion of ignorance and of superstition was drawing to a close. Luther made that proclamation to the potentates assembled at Worms in the year 1521; and, in the same year, the doctrines of Luther were, for the first time, publicly announced in France. The city of Meaux, which was destined to become, in a future age, the episcopal seat of the greatest of all the opponents of the Reformation, enjoyed, at that time, the nobler distinction of becoming the cradle of the Reformed faith in the French monarchy.

Of that faith James Lefevre and William Farel were the earliest confessors. Lefevre had nearly completed his seventieth year, Farel had not quite attained the age of twenty-four. Each of them had derived his new opinions from the study of the Scriptures, and they lived together in the interchange of that touching affection which occasionally unites the aged and the young. The contemplative spirit of the old man and the fervor of his youthful associate were blended together

in harmonious concert and mutual co-operation. Nor were they long dependent only on each other's aid. They found at once a patron and a fellow-laborer in William Briçonnet, the bishop of the diocese. He assisted them in publishing a translation of the Evangelists, and in preaching the Evangelical doctrines. Nor did they preach in vain. So extensive and so lasting was their influence, that, throughout the first half of the sixteenth century, a "heretic of Meaux" became the popular name in France for an antagonist of the See of Rome.

But against such heretics the voice of the Sorbonne was raised with a resentment whetted by the keen sense of some galling indignities. They had lately published a decree in which Luther was compared to Mohammed; and Melancthon had derided it as "the wild production of certain Parisian Theologasters, of doctors under whose guidance it was the ill fortune of France to be placed." Such doctors were not, however, to be laughed at with impunity. They cited Bishop Briçonnet before the Parliament of Paris, and extorted from him a humiliating retraction of his imputed errors. John le Clerc, another of the heretics of Meaux, became, on this occasion, the protomartyr of the Reformation in France. Farel fled into Dauphiné, where he preached in the dry beds of winter torrents, or in the mountain fastnesses, until he was compelled to seek refuge in Basle. Lefevre escaped to Nerac, there to close his long life under the protection of Marguerite of Valois.

That lady holds an eminent place in the history both of the literature and of the reformation of her native land. Every one will, indeed, gladly cherish the disbelief of her authorship of the collection of Tales for which she is celebrated, for they egregiously violate the delicacy of her sex and the decencies of society. Or, if the evidence on which they are ascribed to her pen should be thought irresistible, let us not refuse to her memory the excuse afforded by the manners of her times, nor forget how nobly the fault was repaired by the sanctity of her later writings, and by her generous protection of all who in her days were persecuted for conscience sake.

She was the only sister and the cherished friend of Francis I.; but it is difficult to say to which of the conflicting creeds of their generation either of them was really attached. Francis, indeed, was a worshiper of the idol "Glory." He sought

to propitiate that capricious power by many costly offerings—by eclipsing the achievements of Charles V.—by rivaling the splendor of Henry VIII.—by combining all the majesty of the first of European kings with all the gallantry of the first of European gentlemen—and by a munificent patronage of letters and of art. Yet le Roi Chevalier was rather a great actor than a great agent in the affairs of the world. His principles of conduct were continually overborne by the gusts of his transitory passions; and, both in the religious and the political controversies of his times, he changed his position and his alliances with the promptitude and the fickleness characteristic of all such unruly emotions. Marguerite, on the contrary, although her own personal belief seems to the last to have been unsettled, was inflexible in her zeal for the defense of the persons and the doctrines of the Reformers. Sometimes her influence with Francis arrested his severities toward them, and sometimes his influence with her prevented her acceptance of their opinions. Many years of their lives were passed in this affectionate contest, which seems to have cemented, instead of diminishing, the love which they bore to each other. Ill fared it with any who, presuming on the superstitious weaknesses of either, dared to bring that affection to any hazardous test.

Thus Marguerite, having introduced sundry Reformed preachers into the pulpits of Paris, the whole clerical body of the city revenged themselves against her for the insult. At the College of Navarre, the monks exhibited a play, in which she underwent a metamorphosis from a student of the Bible into a dæmon enveloped in flames. The more serious Sorbonne promulgated a decree censuring her writings as heretical; and a Cordelier had the hardihood to recommend that she should be tied up in a sack and thrown into the Seine. Monks, doctors, and Cordeliers were instantly sentenced by the indignant king to humiliating punishments; though scarcely had his wrath been appeased by their sufferings, when his passions veered round to the precisely opposite quarter.

The day-dream of the life of Francis was the conquest of the Milanese. An alliance with the Tuscan and the Papal courts appeared to promise the fulfillment of that hope; and such an alliance might, as it then seemed, be cemented by the marriage of Henry, the eldest son of Francis, to Catharine of Medici,

the niece of Clement VII. That pope having arrived in person at Marseilles, Francis therefore hastened thither to conclude with him this double compact, nuptial and political; and then, animated with a new zeal for the Papacy, he returned to Paris to gratify the unfortunate monks, doctors, and Cordeliers, by silencing their opponents and dispersing their flocks. The Reformers did not endure these wrongs with their accustomed equanimity. In an evil moment they covered the walls of Paris, and even the door of the royal chamber, with placards containing unmeasured invectives against the mass, and the other observances and doctrines peculiar to their antagonists. Such an outrage on his religion and his person kindled an unquenchable fury in the soul of Francis, who commanded the immediate seizure and persecution of all the heretics; and either arranged, or assented to a religious procession, which was designed to enhance the solemnity of his proceedings against them.

In most countries fêtes are but the idle pastimes of an idle day. In France it is often otherwise. The Fête of Paris of the 29th of January, 1535, was as momentous in its results as it was imposing in its ceremonial. In the midst of a countless assemblage, thronging every street and house-top, appeared the king, preceded by all the sacred relics of his capital, and by all the ecclesiastical dignitaries who bore them, and followed by the princes of his blood, and by the various counselors and courts, guilds and companies of the city. Mass had been sung, and a royal banquet had been served, when, ascending his throne in the presence of his people, Francis solemnly announced his resolution to punish all heresy with death, and not to spare even his own children if they should be guilty of it. "Nay," he exclaimed, as he raised aloft his arm, "if this hand were infected with that disease, this other hand should chop it off." Such words, from such a speaker, were not addressed in vain to such an audience. I advance reluctantly to the close of the narrative. The festivities of the day were ended by suspending six heretics from as many beams, which turned horizontally on a pivot in such a manner that the revolutions of each beam brought the sufferers, one after another, over a furnace, into which they were successively plunged, until, by repeated immersions in that bath of fire, they were

all at length destroyed. On that hideous spectacle Francis himself deliberately gazed. The people of Paris, maddened by this taste of blood, gave way to a ferocity which, during five successive reigns, scarcely ever ceased to offer new victims to Moloch in the name of the Prince of Peace. From this era, their fierce and unrelenting hostility to the Reformers takes its commencement. The fanaticism which was then aroused was satiated, at the distance of twenty-seven years, by the massacre of St. Bartholomew.

But, notwithstanding his domestic and political alliance with the Pope, Francis had concluded with the Protestant League at Smalcalde another confederacy, of which the object was the depression of the house of Austria. The intelligence of the persecutions of their brethren at Paris excited the liveliest resentment among the members of that league; and they indignantly intimated to Francis their purpose of making common cause with the emperor against himself, as the deadliest enemy of the faith of the Reformers. To avert the displeasure of his German allies, Francis made concessions, promises, and apologies. He assured them that the victims of the Fête of January, 1535, had been punished, not for their religion, but for their offenses against the state; and, availing himself of the ever ready weapon supplied by the disunion of the Reformers, he added the assurance that they were not Lutherans, but Sacramentarians.

This defense of the recent atrocities of Paris was read at Basle by John Calvin. To defend his persecuted brethren against the calumnies of their persecutors, he published, in August, 1535, his Christian Institutes. It announced to the world that the Reformation in France had at length found a leader and a head.

At the age of twelve (such were the habits of the times) Calvin had received the presentation of an ecclesiastical benefice; but, by the diligent study of the Bible, he became a zealous adherent and teacher of the Reformed faith before he had completed twice that number of years. Having been compelled, by the doctors of the Sorbonne, to fly for his life from Paris, he taught the Gospel in Poitou; and there may yet be seen near Poitiers a cave, bearing his name, in commemoration of his having been accustomed to celebrate divine worship

within its dark recesses. Driven from this and every other place of refuge in France, he at length found shelter at Basle.

In a future lecture I shall have occasion to discuss the literary merits of the great work which he published in that city. The religious influence which attended it is incalculable. It was received by the whole body of the Protestants in France as the standard around which they might all rally. It ascertained their doctrine, determined their discipline, and regulated their ecclesiastical organization.

Within a year from the appearance of his Institutes, Calvin was nominated to be a minister of the Gospel at Geneva, and a professor of the college at that city. There he established, in his own person, a theocratic sovereignty; while by his books, his letters, and his missionaries, he governed the Reformed churches in France. The heretics of Meaux now assumed the name of Calvinists.

So vast were the literary, ministerial, and public labors of Calvin, that the history of them would appear altogether fabulous, if it did not rest partly on his existing works, and partly on the authority of his intimate friend and constant associate, Theodore Beza. It is a tale which reduces to a comparatively dwarfish stature the most imposing of the giants of intellectual industry, on whom we are accustomed to gaze with the liveliest admiration. His moral and religious character are free from any recorded stain except the execution of Servetus, on which subject, however, no one is entitled to pronounce a peremptory judgment until he shall have read the elucidations of it, for which we are indebted to MM. Guizot and Mignet, and which will be found under the head of "Calvin," in the Musée des Protestants célèbres. The faults or infirmities usually imputed to him are the love of power, the impatience of contradiction, and a disposition irascible, severe, and reserved. As he says of himself that he was a *naturel sauvage et honteux*, I will not venture to undertake the defense of his temper against his own self-condemnation. But it is hardly a reasonable ground of censure that power should have been dear to a man who, by the immediate gift of the Creator himself, had been invested with so eminent and unapproachable a superiority over his fellow-men. Neither is it intelligible why any one who had devoted such an intellect as his to studies of such

surpassing energy and perseverance, and who had derived from them such immutable convictions as he possessed, should be blamed for a stern disregard of those garrulous gainsayers, to whom patience of thought was an unknown mental exercise, and in whose mouths freedom of thought was an empty and unmeaning boast.

Judge, however, of Calvin as we may, it is impossible to deny him a place among the most illustrious of the conquerors whom history has recorded—of the conquerors whose weapons were intellectual only, and whose dominion had its seat in the minds of their own and of succeeding generations; for in him the Protestants of France, of Switzerland, and of the seven United Provinces of Scotland, and of New England, with the Puritans, the Presbyterians, and the Independents of the other American states and of our own country, have ever recognized, or have been bound to recognize, their spiritual patriarch and ecclesiastical dictator. In the age in which he lived, such a dictatorship was indeed indispensable. If left without the guidance of some commanding intellect, the Huguenots of France could never (as far as mere human observation extends) have maintained their inevitable contest with their secular and spiritual antagonists.

It was a contest, not for toleration, but for existence. The ever versatile Francis had, indeed, occasionally assumed the office of protector of the Reformers in Germany, but he never failed recklessly to abandon it whenever such a change was required by his apparent interests. Thus his alliance with the confederates of Smalcalde was forgotten as soon as his new policy prompted that other alliance which, under the mediation of Paul III., he concluded with Charles V., for the extermination of heresy throughout their respective dominions. And fearfully was that engagement fulfilled, when, in the year 1545, the Baron Ompeda (emulous, as it might seem, of the infamy of Simon de Montfort), under the sanction, or, at least, the supposed sanction of Francis, massacred the last remnant of the Waldenses in Provence. The story of their sufferings is too shocking to be needlessly recited. It provoked a cry of indignation from one end of the kingdom to the other, for the religious wars had not as yet steeled the hearts of the French people to every sense of humanity. It agitated the dying mo-

ments of Francis himself, who, maintaining that Ompeda had far exceeded his orders, bequeathed to his son, Henry II., with the crown of France, the duty of punishing that imputed transgression.

Henry invoked in vain the sentence of the Parliament of Paris against Ompeda. But in his reign the Huguenots might bear with greater patience the impunity of their enemies, since they then rejoiced in a vast and unforeseen increase in the strength and number of their friends. It was the era of the highest prosperity of the Reformation in France. Many of the greatest provinces, and of the chief provincial capitals, became, in appearance, Protestant—a change to be chiefly ascribed to the profound conviction, then generally diffused throughout the land, of the truth of the new doctrines, but not to that cause exclusively; for it is peculiar to the French Reformation, and characteristic of it, that the converts from the old opinions were chiefly made, not among the poor and illiterate, but among the wealthy, the learned, and the great. Many secular motives concurred with higher impulses in recommending to them such a change. The provincial nobles had long cherished a deep resentment against the sacerdotal order, as usurpers of their territorial rights and seignorial privileges. The judges and lawyers were jealous of the encroachments of the ecclesiastical on their own forensic authority. The merchants had discovered that there was, in the other parts of Europe, some mysterious link between the Protestant opinions and the prosperity of trade. The men of letters, whether lay or clerical, naturally turned their eyes to that quarter in which the range of speculative inquiry was enlarged, and the dominion of the human intellect extended.

Thus neither authors, nor presses, nor money were wanting to the diffusion of the Calvinistic creed. United into one great secret society by a system of arbitrary signs, the Reformers traversed the country secure of a hospitable shelter; holding their assemblies in barns, or caves, or forest glades; and disseminating books and pamphlets throughout the whole of France, under the cover of mercantile consignments or of peddler's packages, while the ladies of the new faith increased its influence by exhibiting in their own persons a severe model of all the virtues of the female character. "I shall turn Hu-

guenot myself (exclaimed Catharine of Medici, in one of her sportive moods), that I also may pass for a prude and a dévote."

Her husband Henry harbored no such fancies either in earnest or in jest. He had completed his twenty-ninth year when he ascended the throne of France—an elevation which, if crowns were won by royal qualities alone, he never could have attained. He was formed to enjoy, and to diffuse around him the delights of society in its most brilliant and luxurious forms, and to shine among the foremost of the graceful, accomplished, good humored, and indolent votaries of pleasure. In the dance or the tournament, as a carpet knight, he might have safely indulged his feeble dependence on friends and favorites. In the council chamber, as a king, he indulged it to the ruin of his kingdom. Abdicating to Anne de Montmorenci, to Francis, duke of Guise, and to Diana of Poitiers, the real sovereignty of France, he laid the basis of those factions which, during the reigns of each of his sons, desolated the kingdom with misery and bloodshed.

Of the wrongs and cruelties done upon our earth, how vast is the proportion for which easiness of temper is responsible! Too obliging to refuse any thing to his mistress and his favorites, Henry II. gratified them by the first of that long series of iniquitous edicts against the Huguenots which deform the collection of the laws of the French kings. Enacted in 1551, and called the edict of Châteaubriant, it decreed that any one accused of heresy might be tried, in succession, both by the secular and by the spiritual courts; that, if convicted by either, the offender should at once be executed, even pending his appeal from that conviction; that no one should intercede for his pardon; that a third of his estate should be the reward of the informer; and that every one suspected of heresy should incur these penalties, unless he should, by sufficient evidence, prove that suspicion to be unfounded. It might have been supposed that the wickedness and folly of such a law could be surpassed only by the wickedness and folly with which it was carried into execution. But the Cardinal of Lorraine, the Sorbonne, and Pope Paul IV. meditated a yet lower depth of iniquity. In the name of that pontiff, but at their instance, appeared in 1557 a bull establishing the Inquisition in France. In the name of Henry, and at the instance of the same advisers, ap-

peared a royal edict to carry that bull into execution. But there were yet some limits to the subserviency of the French people. The Parliament of Paris refused to register the edict, although the king himself in person commanded it. They were inflexibly firm, and he characteristically flexible; and the contest, therefore, ended in the deliverance of his kingdom from the infamy and the woes which his fatal facility of disposition would otherwise have inflicted on it.

But, confident in their new and continually increasing strength, the French Reformers were roused by these injuries to a measure of self-defense and of self-assertion, which, to all who could read the signs of the times, announced the swift approach of a deadly conflict between the hosts which arranged themselves under the opposite banners of Geneva and of Rome. Hitherto the Calvinists had met and worshiped together, at whatever times and places, and with whatever forms the conveniences or exigencies of the passing moment suggested. Now they resolved to constitute themselves into a great national church, with ascertained laws, a regular organization, and predetermined observances. Accordingly, on the 25th of May, 1559, a general synod of all the Protestant congregations of the kingdom was solemnly convened and deliberately holden in the city of Paris.

The ecclesiastical system adopted by this assembly was dictated by their great patriarch Calvin. It was prefaced by a general confession of the faith of the Reformed churches of France, and that confession was nothing else than an epitome of the doctrine taught in his own Institution Chrêtienne; the great fundamental article of all being that the supreme rule and single criterion of truth among them was to be the revealed word of God. Then proceeding to the organization of their ecclesiastical polity, this solemn compact provided that, whenever the faithful were living contiguously to each other in numbers sufficient to form a separate local church, they should unite in electing a consistory (that is, a body of ruling elders), in calling a minister, and in providing for the celebration of the divine ordinances. All subsequent vacancies among the consistory or in the ministry were to be filled up by the elders, but subject to an effective veto on the part of the congregation. A certain number of local churches were each to elect an elder,

who, with the respective ministers of all, were to form the conference of that locality. The kingdom of France being then divided into provinces (sixteen was the usual number of them), a provincial synod was to be holden annually in every province, composed of all the ministers within its precincts, and of one elder to be elected by each of the local churches which the province might comprise. At the summit of this hierarchy was placed a national synod, which was to meet once in each year, and to be composed of two ministers and of two elders representing each of the provincial synods. The conferences were to govern, in the first instance, the local churches within their several limits. The provincial synods were to have a jurisdiction at once concurrent with, and superior to, that of the conferences. The national synod was to be both the ultimate tribunal and the supreme Legislature of the whole body of the Protestant Church of France. Substitute for these titles the words presbyteries, kirk sessions, and general assembly, and you have here a complete prototype of the existing National Church of Scotland.

A great social revolution had thus been effected. Within the centre of the French monarchy Calvin and his disciples had established a spiritual republic, and had solemnly recognized as the basis of it four principles, each germinant of results of the highest importance to the political commonwealth. Those principles were, first, that the will of the people was the one legitimate source of the power of their rulers; secondly, that power was most properly delegated by the people to their rulers by means of elections, in which every adult man might exercise the right of suffrage; thirdly, that in ecclesiastical government the clergy and the laity were entitled to an equal and co-ordinate authority; and, fourthly, that between the Church and the State no alliance or mutual dependence, or other definite relation, necessarily or properly subsisted. The ultimate results of this decisive advance of the Calvinistic party will be considered hereafter. The immediate consequence of it was to bring to light the fact that in the bosom of the Parliament of Paris were concealed many of the followers of Calvin who had hitherto wanted courage to avow themselves.

Of this number was Anne Dubourg, himself a magistrate of

eminent learning, and the descendant of a family illustrious among the magistracy of France. In his place in the Parliament, and in the presence of Henry, he now ventured not only to invoke a national council for the reform of religion in France, but even to denounce the persecution of heretics as a crime against Him whose holy name they were accustomed to adore with their dying breath. Dubourg expiated this audacity with his death. But, before the grave had been opened for him, it had closed on his royal persecutor. The accidental stroke of the lance of Count Montgomery, at the tournament of June, 1559, terminated the reign and life of Henry, and transferred his crown to his eldest son, Francis II.

Francis ascended the throne of his ancestors when he had scarcely completed his sixteenth year; and the possession of the real government of France, under the name of the young and feeble king, became the prize for which three unscrupulous rivals eagerly contended.

First in rank, as in just pretensions, was the queen-mother, Catharine of Medici. She is one of those persons on the historical portraitures of whom it is painful and humiliating to dwell. None of them throw any doubt on her courage, her energy, or her commanding talents, and none of them ascribe to her any of the qualities we love, or of the virtues we esteem. They represent her to us as a living impersonation of the ideal prince of her countryman Machiavelli; as engaged, throughout her long life, in the unremitting pursuit of dominion—of dominion on any terms, but as best pleased to obtain it by craft, by treachery, and by intrigue; as rendering every other desire subservient to this one master passion; as sacrificing to it even her conjugal and her maternal affections; and as exhibiting the frightful aspect of a woman who, without human sympathies or religious principles, submitted herself to the despotism of a blind selfishness, which shame could never daunt and conscience could never restrain. For the sake of our common nature, let us trust that these pictures have been discolored by the too natural indignation and abhorrence of those from whom we have received them; though, even if the colors be really too dark, it is, I fear, too late now to attempt any correction of the error.

The second of the aspirants for the government of the king

and of his kingdom was Francis, duke of Guise. Just forty-six years before this time, his father, Claude of Lorraine, had quitted that duchy in search of better fortunes in France; bringing thither, as the Protestant writers say, "nothing more than a stick in his hand, and one servant behind him." In France he became the father of four daughters and of six sons, of whom Francis, duke of Guise, was the eldest, and Charles, cardinal of Lorraine, was the second. The duke was a skillful, high-spirited, irascible, and unscrupulous soldier, who had achieved great glory by the defense of Metz, by the capture of Calais, and by the victory of Renty. The cardinal, on the other hand, was so remarkable for personal cowardice, that he was himself accustomed to make it the subject of his own pleasantry. It was united (no unfrequent union) to a graceful elocution, insinuating manners, a penetrating foresight of coming events, and exquisite subtlety in the conduct of affairs. But the cardinal was also the victim of that chronic fever of ambition from which timid men are usually exempt, and was haunted by importunate visions of the French crown resting on his brother's head, and of the Papal tiara alighting on his own.

The third candidate for the administration of the government of France was Antoine, the head of the house of Bourbon, and therefore the first prince of the blood royal next after the brothers of the king. He bore the title of King of Navarre in right of Jane d'Albret his wife, who was the titular queen of that almost nominal sovereignty. The chief purpose of the otherwise purposeless existence of Anthony was to exchange his empty title of King of Navarre for the dominion of some real kingdom in any place and on any terms. He was one of those men whose characters shift with the shifting events of each successive day, or with the uncertain mood of each new associate. With the Calvinists he would chant hymns in the Pré-aux-Clercs at Paris, and with the Catholics he would attend a Calvinistic auto-da-fé at the Place de Grêve.

Such having been the three aspirants to the regency, it remains to notice their great antagonist, Gaspard de Coligny, the military hero of the French Reformation. He was the second of the three sons of the Comte de Châtillon and of the sister of the Constable Montmorency. Having either acquired

or confirmed his religious opinions by the study of the Scriptures during a protracted captivity which he underwent as a prisoner of war after the battle of St. Quentin, he regarded the honors and emoluments of the world with a holy indifference, and, with the exception of his titular office of Admiral of France, renounced all the high and lucrative employments in the state which he had previously enjoyed. In the domestic privacy to which he retired, he became an example of the most severe self-discipline, united to a fervent and habitual devotion. In the civil wars into which he was afterward drawn, nothing was wanting to his glory except success; for he was an unfortunate commander, and, though a braver man never drew his sword even in the armies of France, yet, in the critical moments of battle, he was deficient in promptitude and decision. His younger brother D'Andelôt was also a gallant but ill-fated officer in the Huguenot ranks; while his elder brother, Odêt Châtillon, who had become a cardinal in his seventeenth year, and had married in his more maturer days, ended his life in England as an exile.

Coligny and his friends were the dupes of the artifices by which Catharine paved her sure, though slow and cautious path to the nominal regency and real sovereignty of France. To conciliate their favor, she assumed the appearance of a humble inquirer into the grounds of their doctrines, and they, with glad credulity, hailed her as a new Esther, born for the deliverance of the persecuted votaries of the truth.

The Duke of Guise and the Cardinal of Lorraine pursued a more direct and ingenious course than hers. Having effected the marriage of the king to their niece, Mary, queen of Scots, they seized upon all the highest stations of public trust and authority, the duke becoming general in chief of the royal forces, the cardinal assuming the superintendence of the royal finances. Never had the throne of France been more completely overshadowed by those who had mounted on its footsteps since the Merovingian kings had bowed to the supremacy of the mayors of their palace.

The powers thus gained by the Princes of Lorraine were zealously employed for the destruction of the Calvinists. In every Parliament in the kingdom they established Chambers, charged with the especial office of trying, and consigning to

the flames, all persons guilty of heresy; and which, for that reason, received the appropriate title of Chambres ardentes. The Calvinists, while exasperated by these persecutions, were brought into frequent intercouse with the military suitors of the treasury, whose just but unwelcome demands the cardinal-superintendent had repelled with intolerable indignities. Mutually cherishing each other's resentments against their common enemies, the two parties concerted together a plan for subverting, by their united arms, the usurped power of the duke and cardinal. The casuists of the Huguenots encouraged the design, teaching that such resistance would not be unlawful if conducted under the guidance of a prince of the blood royal, and if sanctioned by the States-General of the realm. Louis de Condé, the brother of the King of Navarre, consented to fulfill the first of these conditions; and it was resolved by the confederates that, in due time, the second also should be accomplished. With their passions excited and their consciences tranquilized, they therefore resolved to seize the persons of the king, the cardinal, and the duke, in order that justice might be done upon the new mayors of the palace, and that the new Childeric might be transferred to a more faithful guardianship.

The conspiracy of Amboise (for so the project was called, from the place at which it was to be carried into effect) was defeated by the treachery of one of the conspirators. The punishments which followed are too horrible for description. Hundreds perished by the hands of the public executioners, and hundreds, bound hands and feet together, were thrown into the Loire. And thus, in the year 1560, were exactly anticipated the Noyades of the Revolution; except, indeed, that a prince of the Church, Charles, cardinal of Lorraine, took the place of the butcher Carrier; and except that Catharine of Medici, and her ladies of honor, assumed, in this dismal tragedy, characters to which, even in the phrensy of the Reign of Terror, the vilest of the Poissardes of Paris would scarcely have descended.

Nor were these the only disasters in which this ill-concerted scheme involved the Huguenots. They soon learned with terror that it had supplied the Duke of Guise with a pretext for assuming the office of Lieutenant General of France, and for extorting from the king a promise to sanction whatever acts

he might do in that capacity; and that it had afforded the Cardinal of Lorraine an excuse for establishing, by the royal edict of Romorantin, an episcopal tribunal in every diocese of the realm for the trial and punishment of heresy.

But deep called unto deep. The alarmed and exhausted Huguenots, confident in their strength, or deriving courage from despair, rose in many parts of France to repel, or at least to punish their antagonists. Throughout the south and west of the kingdom, a large proportion of the churches were seized for their use, and devoted to their public worship, while in Dauphiné and Provence they celebrated that worship sword in hand, and then pillaged the property of the Catholics, and abused the persons of their priesthood. Anarchy and civil war were brooding over the distracted land.

In the midst of these tumults was raised a voice, earnestly and pathetically inculcating toleration and peace. It was the voice of the party called Les Politiques, of which the Chancellor l'Hôpital was the head. They spoke with all the energy of wisdom and of truth, and with all the authority of the highest rank and reputation to which any statesman of that age had risen in France by their own unaided and personal merits. Nor did they speak altogether in vain; for not even Guise or his brother could resist their instances that the Huguenots should at least be heard in their own vindication.

In August, 1560, therefore, Coligny appeared before the king and an assembly of Notables, who had been convened for that purpose at Fontainebleau. Presenting to them the written petition of the whole Reformed Church of the kingdom, he demanded the royal assent to their request for the free performance of their public worship. "Your petition," replied the king, "bears the signature of no one." "True, sire," rejoined Coligny; "but if you will allow us to meet for the purpose, I will, in one day, obtain in Normandy alone 50,000 signatures." Even if the number was exaggerated, it was an exaggeration which, from such lips, indicated a reality full of danger. Long and anxious were the debates which followed. They resulted in a decision to convene both the States-General of the kingdom and a National Council, to decide what should be the religious faith of the French people. Neither they, nor any other people, had as yet learned that any such absolute unity of be-

lief and of worship was not really possible, and was, perhaps, not even to be desired.

I attempted in a former lecture to explain the general motives which had induced all the four great political parties in France to concur in the convocation of the States-General of Orleans. But there was yet a farther motive which recommended that measure to the Princes of Lorraine. It promised them a favorable opportunity for the execution of two atrocious treasons. Assuming that the convention of the representatives of the kingdom would lull the Huguenots into a false security, they meditated a military massacre, which, by destroying many of them in every province, was to strike at the very roots of the new heresy. Assuming, also, that the two princes of the house of Bourbon would present themselves at Orleans unprotected by any armed force, they had arranged a plan for the seizure and destruction of them both. This part of their project was at least partly accomplished; for, when Louis of Condé entered the city, he was arrested by the followers of Guise on a charge of participation in the conspiracy of Amboise. His brother, Anthony of Navarre, who accompanied him, was introduced into the presence of the king, where assassins stood ready to plunge their daggers into his bosom as soon as Francis had given the appointed signal. The heart of the royal boy, however, revolted at the last moment from the contemplated murder, and Anthony survived that perilous interview. Very shortly afterward Francis was mercifully removed, by a sudden death, from the snares which environed his path. His less happy brother, Charles IX., succeeded him.

This event was in effect a revolution. The Princes of Lorraine, no longer allied to the sovereign, retired into a comparative obscurity. Their contemplated massacre was postponed to the day of St. Bartholomew. Condé was discharged from prison, and absolved of his imputed crimes; Anthony of Navarre became Lieutenant General of France; Montmorency resumed his high office of Constable; and the queen-mother, becoming regent, governed the person and kingdom of her infant son.

The States-General of Orleans, though not productive of any direct measure in favor of the Reformers, materially promoted the interest of the Reformation. They had recognized

the great principle of religious tolerance, and had, therefore, given new courage to the disciples of Calvin. Ever watchful of such changes, Catharine of Medici once more presented herself in the character of a devout inquirer into the truth of the new opinions. The halls of her palace of Fontainebleau were thrown open to a Huguenot preacher. "It seemed," says the Jesuit Maimbourg, "as though the whole court had become Calvinist. Though it was mid Lent, their tables were covered with meat, and they made sport of images and indulgences, of the worship of the saints, of the ceremonies of the Church, and the authority of the Pope." In the midst of such scenes, the Reformers gave way to a not unnatural enthusiasm. Sometimes they addressed eulogies to the queen-mother and the King of Navarre, and sometimes exhortations. Troops of missionaries from Geneva traversed the kingdom, and occupied the pulpits of France. Devotional and controversial writings were scattered from the Rhine to the Pyrenees as thickly as the leaves of autumn; and the more sanguine Huguenots believed in the approaching triumph of Calvin and his creed.

This exultation aroused the vigilance and reanimated the hopes of the Princes of Lorraine. The famous courtesan, Diana of Poitiers, was still living, the ready instrument of any intrigue, and by her intervention was cemented that memorable alliance to which the French historians gave the name of the "Catholic Triumvirate." The whole military strength of France was under the command of St. André, a dissolute soldier, and of Montmorency the Constable. To each of them Diana proposed an alliance with Guise; to each were offered great pecuniary advantages; while, to stimulate the family pride of Montmorency, he was assiduously reminded of the welcome legend that his great ancestor was the first baron and first Christian of France, and that he himself was, therefore, the hereditary defender of the faith and hierarchy of Rome.

This new confederacy restored to the house of Lorraine the military strength of which the death of Francis had deprived them, and enabled Guise to reappear, with renewed courage, in the Royal Council chamber. His returning influence there was speedily manifested. It gave occasion to the enactment of what was called the Edict of July, 1561; an edict which bespoke his unrelenting, yet cautious animosity to the Hugue-

nots; for, while it forbade their public assemblies, it tolerated their private exercise of social worship, forbade all injuries against them on the ground of their religious opinions, and intimated a national council for adjusting the religious controversies by which the realm was agitated. Such a synod accordingly met at Poissy within a month from the date of this edict.

The days of chivalry were giving place to the days of polemics, and the jousts of knights armed *cap-à-pie* were superseded by the theological tournaments of men of the gown. The one combat was, however, almost as unprofitable as the other. When the controversialists met at Poissy, they found all the most essential laws of their battle-field wholly undetermined, and incapable of any determination. What were to be the questions to which the debate was to be confined? The Huguenots insisted that the whole compass of doctrinal opinion was to be open to attack and defense. The Catholics, that the authority of the Church and the Real Presence must be finally decided before any other point was handled. What was to be the test of faith? "Holy Scripture alone," exclaimed the reforming party. "Holy Scripture as interpreted by primæval traditions, and by the Fathers and Councils," rejoined the adherents of the Papacy. Who are to adjudicate the victory between the disputants? "The Civil Government," answered the Calvinists. "The Hierarchy of the Church," replied their antagonists. To what good end, then, debate at all, in the face of such irreconcilable disputes as to the terms of the disputation? To that question the common answer of both parties was, we debate, not in the hope ef conquering our antagonists, but in the belief that we shall encourage our friends; and we take this method of appealing from our prejudiced opponents to the world at large against the calumnies of which our persons are the objects, and by which our doctrines are daily misrepresented.

To the Doctors of the Sorbonne, indeed, such an appeal appeared eminently unwise. Twelve of them presented themselves before Catharine, at Poissy, with a protest against it. Such discussions, they said, did not tend to edification, and especially when carried on in presence of a king whose tender years made him so peculiarly obnoxious to error. "I have

good reasons for what I have done," answered Catharine; "and it is too late to recede now; but (she added significantly) do not disturb yourselves—all will go well." It was a prophecy of which (in the sense of which it was made) she had taken good care to insure the fulfillment.

In the refectory of the great convent at Poissy appeared, therefore, on the 9th of September, 1561, King Charles IX., a boy of eleven years of age, seated on his throne, having on one side of him the members of his family, the officers and ladies of his court, and on the other side six cardinals, with a vast array of bishops and of doctors. The boy-king addressed them in a formal speech; the Chancellor l'Hôpital in a conciliatory, wise, and almost Protestant oration. At the close of these harangues, the Huguenots were, for the first time, introduced. Twelve of them were ministers, and the remaining twenty-two lay-deputies of the Calvinistic churches. Calvin himself was absent, because the French court had refused to give the securities for his safety which the Republic of Geneva had demanded. In his stead appeared Theodore Beza, at once the most intimate of his friends and the most eminent of his disciples. Nor was it a substitution to be regretted by their adherents; for, however much inferior to Calvin in other respects, Beza far surpassed him in all the graces of elocution, and still retained the captivating amenity of manners for which he had been distinguished in his early years, and in the courtly circles in which those years had been passed.

The grave and simple habiliments of Beza and his associates contrasted strangely with the gorgeous apparel of their mitered antagonists. Nor were those humble-looking men received into the presence of that royal and ecclesiastical pageantry as colleagues to deliberate on equal terms, but rather as culprits standing at the bar to undergo a trial. Undaunted by the indignity, Beza first knelt down, and audibly implored the divine blessing on the assemblage; and then, amid the profound attention of his audience, proceeded to recite and to interpret the articles of the Calvinistic creed. His eloquence had been progressively winning a signal triumph, until it reached a passage in which, though admitting the real presence of Christ in the Eucharist, he denied his bodily presence there. "His body," he exclaimed, "is as remote from bread and wine as

heaven is remote from earth." Indignant clamors interrupted, though they did not eventually silence, the speaker; and, after an adjournment of seven days, the synod was again assembled to listen to the answer which, in the interval, had been carefully prepared for the Cardinal of Lorraine. He maintained, with great applause, first, the supreme authority of the Church; and, secondly, the doctrine of transubstantiation; and concluded by demanding that, before the debate proceeded any farther, his opponents should prove their candor by subscribing each of the two propositions which he had thus demonstrated. The demand was of course ineffectual. An insuperable obstacle to any farther proceedings having thus been quickly, and perhaps fortunately discovered, the synod was brought to an early and premature conclusion.

The theologians who had composed it remained, however, two weeks longer at Poissy, and held some private conferences there in a smaller chamber of the convent. Their meetings were productive of a few passages rather more exhilarating than either the theme itself, or the characters of those who handled it, might have seemed to promise. Thus, for example, the Cardinal of Lorraine tendered to Beza for his signature certain articles respecting the doctrine of transubstantiation extracted from the Confession of Augsburg, to which, therefore (sarcastically observed the cardinal), there can, of course, be no objection. "Your eminence will therefore begin," answered Beza, "by attaching your own signature." "Not I," replied the cardinal; "I am not bound to subscribe to the declarations of any master." "You will scarcely then expect us," rejoined Beza, "to accept the very confession which you have yourself rejected." Bossuet reproaches the Calvinistic disputant with escaping the dilemma by a subtlety. He might, with equal reason, have reproached the cardinal for the subtlety with which he had attempted thus to avail himself of the dispute between the Lutheran and the Calvinistic churches.

A far more formidable opponent than the cardinal next presented himself in the person of Iago Laynez, the second general of the Jesuits, at once the most eloquent, learned, and astute of all those in union with whom Loyola had laid the foundation of his order. But, on this occasion, Laynez lost himself, like many a great orator before and since his time, in

the mazes of a long and intractable metaphor, and afforded to Beza the triumph, so dangerous to the most eloquent adversary, of raising a general laugh at his expense.

Catharine listened to these debates with a secret contempt for the dispute and the disputants. She thought that they were contending about words only; and she inferred that they would consequently rejoice to terminate their warfare by a verbal compromise. At her instance, therefore, a formulary was prepared respecting the real presence in the Eucharist, with which Beza was reasonably, and the Cardinal of Lorraine indolently, satisfied. The Doctors of the Sorbonne, more learned and more sincere than the cardinal, however, rejected it with indignation. And now rhetoric and learning, pleasantry and double-mindedness, having each in turn attempted to bring the interlocutors at Poissy to some agreement, and having all attempted it in vain, the meeting broke up. It had distinctly convinced most men that such a dispute could not be adjusted by any weapon less keen than the sword. To L'Hôpital and his partisans it had suggested the far more important conclusions that, in such a dispute, neither the sword nor the pen could really gain a final victory, but that mutual forgiveness and toleration might render any such victory superfluous.

Yet, on the whole, the result of the synod or conference of Poissy was advantageous to the Calvinists. They had been publicly admitted into the presence of their sovereign to explain and to justify their doctrines. They had been heard with attention, if not with deference. The two religions had been allowed to stand so far on a footing of equality, that each had invoked in its support, not material force, but the reason of man illuminated by the written or unwritten revelations of God. In every part of France large accessions were consequently made to the number of the Reformers. Urgent demands for additional teachers were addressed to the Swiss and Genevese churches. Farel, now far advanced in years, reappeared in his native country, and preached the Gospel to large and enthusiastic assemblages. In the immediate vicinity of Paris itself, Beza addressed congregations which his followers estimated as sometimes rising to 40,000 people, and which his enemies acknowledged to have been seldom less than 8000. He even celebrated the marriage of the Count and Countess of Rohan,

in the presence of the Queen of Navarre and of Condé; and Coligny presented to the queen-mother a list of 2150 Reformed congregations, over each of which separate ministers presided. The numbers of the Huguenots at that time in France was believed by some to amount to a half, and by the least sanguine to a tenth, of the whole population of the realm. L'Hôpital is said to have inferred, from all the facts within his reach, that the population of the Huguenots to the Catholics was as one to three. But such calculations or conjectures must always, and every where, be delusive. They proceed upon two fundamental errors: the first, that every member of society holds *some* fixed and deliberate religious belief; the second, that all who do not avowedly reject the established faith are among its real adherents. But, all the world over, the formal assenters to that faith outnumber the avowed dissenters from it; and in religious, as well as in political controversy, the world is ever governed by minorities.

Thus the Huguenot minority in France had become, at the close of the conferences of Poissy, effective enough to defy the laws which had been made against them, and to exact an amendment of the laws which had been made in their favor. They took possession of many of the churches of the Catholics, destroyed the relics, the images, and the crucifixes with which they were embellished, and demanded an enlargement of the privileges which had been granted to themselves by the edict of the Duke of Guise, of July, 1561. For, while that edict tolerated their private meetings, it forbade their public assemblies; and such a prohibition the Calvinists would no longer obey in practice, nor patiently endure in principle. The demand was successful. L'Hôpital, the ever-zealous patron of religious liberty, proposed to an assembly of the Notables the enactment of a new law, which authorized the public celebration of the Reformed worship on the easy conditions that it did not take place within the walls of any fortified city; that the worshipers did not assemble in arms; and that they permitted the attendance of any officer of the crown who might require to be present. On the other hand, it was provided that the Huguenots should restore the churches which they had usurped, and that they should not give scandal to the Catholics by breaking their images or crucifixes, or by any similar outrage. This

law was called the Edict of January, 1562. It was willingly registered by the Parliaments in the south and west of France, and peremptorily rejected by the Parliament of Dijon. The Parliament of Paris at first refused to accept it, and accepted it at last only in obedience to repeated and positive commands from the king, and not even then without a protest that they did so in submission to necessity, without approving the new opinions, and awaiting the time when it might be possible to make other and better arrangements on the subject. By the Huguenots themselves, the edict of January, 1562, was received with gratitude, or rather with exultation. Except that they were still excluded from public preaching within the fortifications of walled towns, they had at length, by many grievous sufferings, acquired whatever was necessary to the freedom of their worship and to the diffusion of their doctrines. For such a victory they rightly judged that the lives of their martyred brethren had not been an excessive price.

Nothing, however, was more remote from the designs of the Triumvirate than that they should enjoy that victory in peace. Calling to their aid Philip II. and the Papal legate, they now assailed the Huguenots on the most vulnerable point of their defenses. It was their calamity to have been acting under the ostensible guidance and protection of Anthony of Navarre; and to detach him from their cause, weak and frivolous as he was, would be to transfer to the side of their enemies all the extensive powers with which that prince was invested as lieutenant general of the kingdom. To accomplish his conversion to the faith of Rome, it was requisite to appeal, neither to his understanding nor to his conscience, but simply to his egregious and well-known vanity. For this purpose, the highest dignitaries of Europe condescended to become parties to one of those farces in real life which the French call mystifications. Anthony's dominant idea and day-dream was that of an exchange of his nominal sovereignty of Navarre for a real crown and real subjects. The Pope, therefore, tempted him with proposals for a divorce from Jane d'Albret, his wife, on the ground of her notorious heresy, that he might be free to marry Mary, queen of Scots, and in her right to reign over Scotland. Philip II. offered him the choice of a new kingdom in Africa or Sardinia, or the restitution of Navarre itself. One easy but indispensable

condition only must be first performed. He must embrace the faith and communion of the Holy See; and that this embarrassing measure might be reconciled to his royal honor, it was proposed that a conference of Huguenot and Catholic doctors should be holden in his presence, when he might gracefully, and with dignity, surrender himself to the convictions which would naturally follow on the argumentative triumph of the advocates of the religion of his forefathers. Every act of this projected comedy was exactly performed, and the head of the house of Bourbon, the father of Henry IV. of France, gave to his son the example of purchasing a crown by the public abandonment of the faith of his early and of his mature life. The difference was, that the glittering prize actually rested on the brows of the son, while it only mocked the eager grasp of the father.

The secession of Anthony of Navarre gave to the Triumvirate a feeble ally indeed, but a great accession of power. It placed at their disposal the armies which obeyed him as Lieutenant General of France; and it disquieted their antagonists, by teaching them how precarious was the trust they habitually reposed in princes. In all the presumptuous confidence inspired by these new resources, the Princes of Lorraine now bound themselves, by a traitorous treaty with Philip II., to concur in the introduction into France, and in the employment there, of the forces of Spain, for the extermination of heresy. To this compact Anthony gave his sanction, and, in furtherance of it, he requested the Duke of Guise to join him in a meditated attack on the Huguenots in Paris.

On his way through Champagne for this purpose, the duke, passing near Vassy, heard the ringing of the church bells of that little town; and, on inquiring about the cause, was answered that they were rung to call together the Huguenots to their religious exercises. "They shall soon," exclaimed the duke, "Huguenotize (*Huguenotera*) in a very different manner." Then riding up to the place of meeting, followed by about 300 of his retainers, they fell on the unarmed congregation, killing three, and wounding others of them. The Huguenots defended themselves with the stones lying on the ground before them, with one of which the duke himself received a blow. In the indignation of the moment, he gave to his fol-

lowers commands which they too well obeyed. At his bidding, and in his presence, they slew 60 and wounded 200 of the defenseless assembly. There was but little booty to be gained from such a foe; but a volume was found which, till then, the duke had never seen. "Look," he exclaimed to his brother, the Cardinal of Lorraine, who had sheltered himself, during the slaughter, beneath an adjacent wall, "look, here is one of the books of these Huguenots." "There is no harm in this book," answered the cardinal; "it is the Bible." "The Bible!" replied the learned adversary of the new faith; "how can that be? You see it is not a year since this book was published, and they say that the Bible was published more than 1500 years ago."

The massacre at Vassy was a direct infringement of the Edict of January, 1562. It was a defiance of all law by one of the chief nobles of France. It was an outrage so intolerable and so full of menace, that if it should pass unpunished, there was an end to every hope of safety or of peace. Condé solemnly denounced the author of it to the queen-mother as a murderer, a conspirator, and a traitor. Beza appealed to her for protection, and his flock invoked the aid of the governor of Paris—the Constable Montmorency. Catharine listened with terror, and answered with equivocations; while, with all the zeal of a renegade, Anthony of Navarre defended the conduct of the duke, and apologized for the massacre. "Remember, sire," prophetically answered Beza, "that the Church is an anvil on which many a hammer has been broken."

Guise, however, was now irrevocably committed to a deadly strife with that invincible antagonist. Entering Paris amid the acclamations of the fanatical multitude, who hailed him as a new Judas Maccabæus, he seized Catharine and Charles, and kept them in a strict though gentle captivity, first at Fontainebleau, and afterward at Melun and Vincennes. The triumph of the Triumvirate and of their domestic and foreign allies was short-lived. It was a triumph promptly and fearfully expiated. With the massacre of Vassy and the seizure of the king commenced the wars of religion—of all the dark tragedies which have been enacted in France, the darkest and the most disastrous. Agrippa d'Aubigné, a contemporary historian, in his review of these events, recapitulates, in the following indig-

nant terms, the vindication of the Huguenots for plunging their country and themselves into those dismal hostilities. "So long," he says, "as the adherents of the new religion were destroyed merely under the forms of law, they submitted themselves to the slaughter, and never raised a hand in their own defense against those injuries, cruel and iniquitous as they were. But when the public authorities and the magistracy, divesting themselves of the venerable aspect of justice, put daggers into the hands of the people, abandoning every man to the violence of his neighbors; and when public massacres were perpetrated to the sound of the drum and of the trumpet, who could forbid the unhappy sufferers to oppose hand to hand, and sword to sword, and to catch the contagion of a righteous fury from a fury unrestrained by any sense of justice?"

If, as is but too probable, I shall appear to have been seduced by the preceding narrative from the problem which I proposed to myself at the commencement of this lecture, I can, for the present, only answer that it appears to me an indispensable preliminary to the solution of that problem. I do not think it possible to explain, intelligibly, why the protest made by so large a part of the people of France against the tyranny and the errors of the Roman Church was not followed by any effectual resistance to the despotism of the reigning French dynasty, without first indicating what was the nature and what the principal stages of that great controversy. I hope to resume and to close that inquiry in my next succeeding lecture.

Feb. 9. 1853.

LECTURE XVI.

ON THE REFORMATION AND THE WARS OF RELIGION.

The inquiry into the causes which rendered the Reformation incapable of securing the constitutional liberty of the French people has conducted me to the commencement of the wars of religion. The history of those wars yet remains to be written. If, indeed, you turn to the Abbé Anquetil's Esprit de la Ligue, you will find there a catalogue of writers who

have contemplated those events in almost every conceivable point of view, and under the bias of every conceivable prepossession. But they have never yet been the subject of any comprehensive narrative informed by the research and illuminated by the philosophy which characterize the great historical authors of the present age. M. Mignet's promised work, the fruit of twenty-five laborious years, will, I trust, ere long supply that deficiency.

The historian of the wars of religion, whenever he shall appear, may perhaps consider them as comprising three distinct periods, each of which has an aspect and a hero peculiar to itself. The first would embrace the ten years which elapsed between the seizure of Orleans by Condé in 1562, and the massacre of St. Bartholomew in 1572—years memorable for the too successful treacheries of Catharine de Medici. The second period, commencing from that fearful tragedy, and terminating with the assassination of Henry III. in August, 1589, would exhibit the triumph and the fall of the great commander of the League, Henry, the second Duke of Guise. The third period would be that of the gallant struggle of Henry IV. against the Leaguers and their foreign allies, and would conclude with his purchase of the crown of France by the abandonment of the faith to the defense of which his life had been so solemnly consecrated both by his mother and by himself. On each of these epochs I have a few observations to offer.

First, then, the supposition that Catharine was a deliberate infidel, who had firmly rejected every religious creed, is supported by no proof, and is opposed to all probabilities. Fanaticism is the only disease of the human mind which could have so utterly extinguished in her bosom all the sympathies of the human heart. She must be supposed to have transcended all the known limits of the wickedness of our fallen race, if, during long years, she really meditated the crimes which signalize her name, without at the same time invoking the narcotic aid of some plausible sophistry. Doubtless she believed (for how common has ever been the belief?) that she was doing an acceptable service to God by the destruction of those whom she regarded as his enemies. Doubtless the habitual profligacy of her life and manners was not really incompatible (for

how often has such guilt been reconciled?) with an earnest desire to propitiate the Divine favor. She was at once a cruel, ambitious, dissolute woman, and a zealous Catholic.

Nothing, therefore, could be more grateful to her than the events of the first war or campaign, which was closed by the peace of Amboise. In the eleven months over which it extended, both the Catholic and the Huguenot rivals of her favor had been overthrown. Guise had fallen at the siege of Orleans by the hand of Poltrôt; Anthony, king of Navarre, had been slain before the walls of Rouen; and on the field of Dreux St. André had lost his life. Montmorency had been captured by the troops of Condé, and Condé himself had been made a prisoner of war by the troops of Montmorency. When false tidings from the battle announced to her that the Calvinists had conquered, she calmly answered, "Well, then, we must say our prayers in French." When better intelligence assured her of the triumph of the Catholics, she still dressed her countenance in smiles, though with a more serious purpose.

Condé was in her power. In common with the whole race of Bourbon, he was the slave of disorderly passions, and of that servitude the queen-mother well knew how to avail herself. He had relished the society of his Calvinistic brethren in arms very much as our Charles the Second had enjoyed that of the Covenanters in Scotland; and now spells were laid on him by the Armida of the French court, resembling those which, in a later age, were woven by the same court for that voluptuous member of the family of Stuart. She amused his captivity by splendid fêtes; she threw in his way temptations to more guilty pleasures; and she fired his ambition with the promise of succeeding to the office of lieutenant general of the kingdom, which the death of the King of Navarre had vacated. Such allurements proved irresistible. Regardless of the remonstrances of many of the captains, and of all the ministers of the Huguenot armies, Condé, as the head of their party, and in exercise of the general powers with which they had invested him, signed the treaty of Amboise. It gave to the Reformers a precarious peace, but it deprived them of the right which they held, under the edict of January, 1562, of worshiping in public every where beyond the walls of fortified cities. Thenceforward they were to meet together for that purpose

only in a single place within every bailliage of France which was inhabited by Protestant nobles and their retainers.

Yet Condé awaited in vain the promised wages of his infidelity. To have raised him to the office of lieutenant general of France would have been to elevate him to a power not inferior to that of the regent of the kingdom herself, and Catharine would hazard no such competition. She therefore caused the majority of Charles IX. to be announced in his fourteenth year; and a king reigning in his own right could not, of course (as it was urged), divide his authority, either with a regent or with a lieutenant. Palpable as was the duplicity of such an evasion of her promises, Condé could not even yet escape the fascinations which the queen-mother so well knew how to exercise over him. Gratified by other and less costly honors, he still took his place among the courtiers, and consented to preside at a meeting of the Royal Council for the promulgation of an edict which abridged even the narrow concessions on the subject of public worship, which his own Treaty of Amboise had made in favor of the Huguenots. After such an acquiescence Condé had ceased to be formidable; and he silently witnessed the departure of Catharine and her son on a royal progress, in which she meditated yet farther encroachments on the hardly-earned privileges of the Reformed pastors and their flocks.

At Roussillon, accordingly, the name and the authority of Charles were employed for that purpose; and an edict of the 4th of August, 1564, which took its title from that place, restrained the hitherto unlimited freedom of the worship of the Calvinists in private houses. Theirs was, at this time, the only power in the state which balanced that of the sovereigns; and both the ambition and the bigotry of Catharine demanded an absolute conquest of all such competitors. To insure it, she advanced with her son as far as Bayonne, where, as the representative of Philip II., the Duke of Alva awaited them; and with him she held long and secret consultations, the still extant records of which point, though darkly and dubiously, at the horrible catastrophe of St. Bartholomew. Whether the design was really then projected or not, it is at least certain that astrology never scared mankind with a more sinister conjunction than that which thus, for the first and last time,

brought into the presence of each other the three deadly persecutors of those times, Italian, French, and Spanish.

The terrors inspired by that ill-omened meeting, and the resentment kindled by the successive violations of the Treaty of Amboise, stimulated the Huguenots to take up again the arms which, in submission to that treaty, they had reluctantly laid down. They addressed remonstrances both to Condé and to Catharine. To him they complained of his desertion of their interests. Of her they demanded the exact fulfillment of the terms of pacification. It was a demand to be evaded only by the weapons which never failed her—by falsehood and by guile. "The time," she said, "had now arrived (I quote, not the words, but the substance of her answer), when, laying aside their dissensions with each other, Frenchmen should all unite in guarding the independence of their native land. Alva was marching along the eastern frontiers of France with an army which, though avowedly destined to repress the seditious Flemings, might turn aside to invade the dominions of the house of Valois. All faithful subjects of that house should, therefore, arm to avert such danger and disgrace from the noble kingdom, of which all were the common children." Such appeals were never made in vain to Frenchmen. The Huguenots offered to raise and arm, at their own expense, several regiments for the patriotic service. Coligny advised a direct breach with Philip, and the reunion to the crown of France of its ancient fief of Flanders. The queen-mother applauded their public spirit, but courteously declined their advice. "Without imposing on the adherents of the new religion any such heavy burden, she could herself (she said) levy and equip the forces demanded by the occasion." Such forces were accordingly summoned, and they thronged round the royal banner with all the alacrity of that warlike people. It was a controversial age; yet no religious differences disturbed the ranks of these zealous combatants, for no Huguenots had been admitted into them! While they believed that Catharine was arming against Spain, she had been bringing together an army of Catholics to act against themselves. Laying aside her mask, she hailed Alva as a deliverer, succored him as an ally, and prepared to enforce, by his assistance, a new edict for the entire suppression of the ritual and the faith of the Reformers.

The imminent danger roused them from their credulous reliance on the faithless Italian. Condé, awaking from his torpor, attempted, at the head of a hasty assemblage of his ancient followers, to seize the persons of the queen-mother and her son at Monçeau, and, after pursuing them in their flight to Paris, found himself, on the 10th of November, 1567, in the presence of the royal forces, under the command of the Constable Montmorency, on the great plain of St. Denys. In the sanguinary battle which followed the Catholics triumphed, but their leader fell; events for each of which Catharine expressed an equal gratitude. Her dominion could no longer be disputed by any rival, for the Constable had been the last survivor of the Triumvirate; nor could it henceforward be menaced by any religious faction, for the strength of the Huguenots, as she willingly believed, was forever broken.

A few weeks revealed to her the vanity of this exultation. The force of the vanquished Reformers seemed to thrive upon defeat. Retreating toward the Meuse, the remnant of their shattered bands effected a junction with the German levies, which had marched to their support under the command of John Casimir, the son of the Elector Palatine, and from one extremity of France to the other the civil war again raged, but with redoubled fury. In turning over the dark records of that merciless age, the eye is painfully arrested by one most unwelcome incident. We may neither deny nor conceal that, in the city of Nismes, the Huguenots slaughtered, in cold blood, 120 Catholics, of whom no less than 72 were defenseless prisoners. It was, indeed, the act of a savage populace, against which their ministers and commanders expostulated in vain; but, after such an act, we can not denounce the massacre of St. Bartholomew as a crime altogether without provocation or without example.

It was, however, a crime which might, perhaps, have now been averted by the capture of Paris itself, if Condé, who had once more approached and straitened the city, had not once more also been the victim of Italian intrigue. With the courage which never failed her, Catharine herself appeared in his camp, there to verify the customary boast that her tongue and her pen were more than a match for the lances of her enemies. Never had that tongue been more profuse of blandishments or

more successful. "She came the messenger of peace to heal the wounds of their bleeding country. For that end, what sacrifice she asked could be excessive? An amnesty for all the past offenses, an unconditional acquiescence in all their present demands, were the only terms she could propose to the loyal, though misguided subjects of her son; and guilty, indeed (she argued), would be the ambition which should induce their chiefs to incur the responsibility of rejecting such proposals, and of protracting such a war." It no longer rested with those chiefs to refuse or to accept them. At the voice of the siren, their followers rapidly disbanded; and on the 20th of March, 1568, the mere letter of her promises was fulfilled by the signature of a new act of pacification. From the place at which it was signed, it was called the Treaty of Longjumeau; but from the jesters of the times it received the more appropriate name of the *traité boiteux et mal assise*, one of the negotiators having been lame, and the other having borne the name of Malassise. Mézerai dismisses it with the more serious remark, that it left the Huguenots to the mercy of their enemies, with no better guarantee than the word of an Italian woman.

But, though the Treaty of Longjumeau added nothing to the real security of the Reformers, it effectually accomplished the real purpose of the queen-mother. It raised the threatened blockade and siege of Paris, and it dispersed the too credulous Calvinists and their commanders. But it neither crushed nor dispirited them. To Condé and Coligny, and to their followers, La Rochelle afforded an impregnable defense, and there they negotiated with Elizabeth for supplies both of forces and of money.

The time had, however, now arrived, when, by one vigorous effort, Catharine might not unreasonably hope to bring these protracted hostilities to a close. Weakened by their own precipitate disbandment, and abandoned by their German auxiliaries, the Huguenots could no longer contend on equal terms with the royal armies, supported as they were by the zealous co-operation both of the Spanish and of the Papal crowns. The queen-mother, on the other hand, relieved by the death of the aged Montmorency from the encumbrance of his unskillful command, might now kindle the flame of French chivalry, and gratify her own feelings, by placing the conduct of the war in

the hands of the Duke of Anjou, her third and favorite son, then a youth in his eighteenth year; while, to avert the dangers of his inexperience, Strozzi, an officer of some celebrity as the leader of Italian Condottieri, might be appointed to superintend and guide his operations in the field.

The campaign of 1569 was opened with these hopes, and, ere long, the justice of them was triumphantly vindicated. On the 16th of March of that year, Condé fell in the battle of Jarnac, after witnessing the defeat of the forces under his orders. The body of the prince was treated with base indignities by Anjou. His conduct of the Protestant cause passed as a melancholy, and, as it seemed, an undisputed inheritance to Coligny, when another and still more celebrated member of the house of Bourbon appeared as his successful competitor.

At the town of Saintes, then the head-quarters of the Huguenots, Jane d'Albret presented herself, leading by either hand a boy, each of whom she came to devote to the sacred cause in which Condé had just fallen. One of those youths was his own son, and was now the heir of his title. The other, Henry of Béarn, was the son of Jane herself, and of her deceased husband, Antoine, king of Navarre. Though he had not yet completed his fifteenth year, the Calvinistic troops hailed him with acclamations as their general-in-chief and as the protector of their churches. The gallant boy welcomed the perilous commission, and answered by an oath to persevere in the struggle for religious liberty until either death or victory should have brought the contest to a close.

Victory, however, was long to be wooed in vain by Henry of Navarre. Within a few weeks from his solemn vow and self-dedication, the hostile armies met on the field of Montcontour. Of all the combats of the Huguenots, it was the most disastrous. Not more than 8000 of them escaped, leaving behind them more than twice that number of their comrades, either killed or prisoners, and carrying with them Coligny himself, covered with wounds and overwhelmed with sorrow. D'Andelôt, his brother, was among the slain. A reward of 50,000 crowns was offered for his own head. His house was burned, his estates pillaged, the wreck of his forces were in mutiny, and a large number of his friends had both abandoned and reproached him. In the midst of these troubles, and within a

fortnight from the loss of the battle, he raised himself from his sick-bed to write the following letter to his children: "We will not (he said to them) repose our hopes on any of those things in which the world confides, but will seek for something better than our eyes can see or our hands can handle. We will follow in the steps of Christ our commander. Man, it is true, has deprived us of all that man can take away, and, as such is the good pleasure of God, we will be satisfied and happy. Our consolation is, that we have not provoked these injuries by doing any wrong to those who have injured us, but that I have drawn upon me their hatred by having been employed by God for the defense and assistance of his Church. I will, therefore, add nothing more except that, in His name, I admonish and adjure you to persevere undauntedly in your studies and in the practice of every Christian virtue."

While Coligny was drawing these lessons of parental wisdom from his defeat, it was celebrated with rapturous exultation at Paris and Madrid, and with Te Deums at Rome. But scarcely had those triumphant strains died away before the indomitable Huguenot was approaching the gates of Paris at the head of an army still more numerous, and better appointed than that which had been overthrown at Montcontour. At the tidings of that disaster, the mountaineers of the south and east of France, and the auxiliaries of Germany, had crowded to his standard, and the commander who, but a few months before, had witnessed the annihilation of his army, was now preparing the blockade of his enemies in their capital. Against such undying energy Catharine could contend no longer, and, on the 8th of August, 1570, she assented to the treaty of St. Germain's, which not only restored to the Huguenots the freedom of public worship, but placed in their keeping four cities (in the immediate vicinity of their resources and allies), to serve as a guarantee for their peaceable enjoyment of their new privileges.

Within two years and sixteen days from the treaty of St. Germain's, Coligny himself was assassinated, and the streets of Paris were deformed by the slaughtered bodies of the victims of the day of St. Bartholomew. If we rely on Davila, that treaty was signed by Catharine as a means of alluring the heretics into her toils, and of devoting them to the extermination which he says had been so often meditated and so often

postponed. But Davila is the constant dupe of his own subtlety, and of his belief that the avowed and the real motives of princes can never be the same. The hypothesis that the massacre was the result of so protracted a series of artifices is certainly gratuitous, and is, I think, incredible.

In August, 1570, Catharine had many motives for a sincere reconciliation with the Huguenots. They had proved themselves invincible, and yet there was no longer any reason to dread that they would be victorious. They had invariably been defeated in the field. Their numbers had diminished, and were still diminishing. Except to the south of the Loire, they were every where in a decided minority. Even there they were chiefly composed of the territorial lords and their rural retainers. The civic populations of France were almost exclusively Catholic. Paris was their intrenched camp, their arsenal, and their treasury.

But over Paris and in the other great cities of the kingdom the house of Guise was rapidly regaining the influence which had raised them, in the reign of Francis II., to a dominion resembling that of the ancient mayors of the palace. Unless she could balance that power, Catharine had but little security for retaining her own, and an alliance with Coligny and his followers promised her that advantage with but little apparent hazard.

Charles himself was the heir of the ambition of his grandfather, Francis I. To gratify it he had but to anticipate the policy of Richelieu, by placing himself at the head of the Protestant against the Austrian powers of Europe. In that position he might regain for his crown the ancient French fief of Flanders; the whole population of which, in revolt against Philip II., were passionately invoking his aid, and proffering to him their allegiance. But to that end the zealous support of his Protestant subjects was indispensable.

With such motives for fair dealing, why suppose Charles and his mother to have been treacherous? Or if we imagine that truth could never find harbor in her bosom, even when it would best promote her selfish purposes, how shall we explain the events which actually followed the treaty of St. Germain's? It is not a conjecture, but a fact beyond all dispute, that Coligny urged on Charles the policy of acquiring Flanders by a

declaration of war against Philip, and that Charles listened to that advice with his characteristic eagerness. Active diplomatic communications followed with the Protestant princes of Germany. A secret convention pledged the French king to supply succors to Louis of Nassau. Privateers were fitted out at La Rochelle against the fleets of Spain. Ships of war were stationed off the coast of Brittany, to intercept the succors destined for the relief of Alva, and an army was sent to the north of France with the same apparent object. A new edict was made to prevent the interference of the Catholics with the education of the children of Protestants. Coligny was indemnified for all his losses in the war. Marguerite, the sister of Charles, was given in marriage to Henry of Navarre; and Charles himself, rejecting the offered hand of the daughter of Philip, wedded a German princess. To ascribe all these acts, not to the obvious motive of gratifying the ambition of a young and high-spirited prince, but to the desire of blinding the eyes of the Huguenots to the fate impending over them, is an error into which no one will fall who has had to do with public affairs, not merely as a commentator, but as an agent in them; for, to every such man, how often and how clearly has the secret been revealed that the world is governed by improvisations and by improvisatori, not by prescient calculations nor by farsighted diviners of futurity?

Doubtless, however, the massacre of St. Bartholomew was a crime committed by Catharine and her sons, and her counselors, deliberately and with premeditation. Nor is it difficult, at least, to conjecture why or when the tide of her favor toward her new Protestant allies first became refluent. When, in the spring of 1572, the approaching marriage of Henry of Navarre and Marguerite had filled Paris with the adherents of both religions, the agents of Philip drew the attention of the queen-mother to a danger to which she seems to have till then been insensible. They informed her that, in the secret deliberations about the affairs of the Netherlands, to which Coligny had been admitted by Charles, he had counseled the young king to emancipate himself from the thraldom in which she held him, and that measures were in progress for removing her from any farther participation in the government of France. They bade her observe how universal was the enthusiasm of the capital

in favor of the ancient faith and ritual, and how rancorous the antipathy with which the citizens regarded the innovators on it. They pointed out to her how her own and her son's attachment to the person of Coligny, and, as it was suspected, to his cause, was rapidly destroying their popularity, and elevating the Princes of Lorraine to a power which would soon become too formidable for restraint; and they appear to have succeeded in convincing her that the only condition on which she could prolong her reign in France was that of employing the house of Guise and the Catholics as her agents to crush the Huguenots, that so she might at once predominate and triumph over both. The documents of that time (so far as I have any acquaintance with them) seem to me to trace, with sufficient clearness, to such considerations as these, the departure of Catharine, in August, 1572, from the policy which, in August, 1570, had dictated the treaty of St. Germain's. Although the methods taken at last to assemble the whole Huguenot aristocracy at Paris, and so bring them within her power, may indicate that she cherished an insidious design against them during some weeks before the actual perpetration of the massacre, we need not suppose it to have been preceded by a deliberate hypocrisy, maintained during two whole years of avowed and seeming friendship.

It is for the credit of us all not to exaggerate the darkness of a crime which has left so foul and indelible a disgrace upon our common nature; for, horrible as was the act itself, the subsequent celebration of it was even yet more revolting. Pope Gregory XIII. and his cardinals went in procession to the church of St. Mark, not to deprecate in sackcloth and ashes the divine vengeance on a guilty people, but "to render solemn thanksgivings to God, the infinitely great and good (such is the contemporary record), for the great mercy which he had vouchsafed to the See of Rome and to the whole Christian world." A picture of the massacre was added to the embellishments of the Vatican, and by the pontiff's order a golden medal was struck, to commemorate to all ages the triumph of the Church over her enemies. The Pope found meet companions of his joy among the players. In all the cities of France they frequently exhibited a tragedy called the death of Coligny, in which he and his brother D'Andelôt were represented

enduring the fearful torments and cherishing the malignant passions with which the imagination of Dante has arrayed the place of future punishment.

Burdened as the heart is with the remembrance that the princes who executed this butchery, that the priests who thanked God for it in their masses, that the mimes who chuckled over it in their ribaldry, and that the crowds who night after night applauded them, were all our brethren, reflecting to us in their actual guilt our own possible criminality, I know not whether the apology which some recent French historians have offered for their ancestors be not even yet more offensive. It is, they tell us, a mere prejudice to blame any one. Man is but the creature of the age in which he lives. He is borne onward by the irresistible current of events, the sport of a fatality with which it is not given him to contend, the helpless victim of those passions which infect and agitate the social system of which he happens to be a member. This doctrine, which a great historian of the French Revolution brought to light to shelter its atrocities, has been adopted by meaner, though not unpopular hands, to reconcile us to those of St. Bartholomew. It is sufficient to answer, if indeed to such profane extravagance any answer be due, that if fate compelled Catharine and her sons, and their subjects, to commit such offenses, and constrained Pope Gregory XIII. and his cardinals to celebrate them with festive adorations, the same inexorable fate imposes upon us the necessity of holding their deeds and their memories in everlasting abhorrence. The invocation of this stern deity from the Homeric Hades can never shed any real light over the ways of this upper world. Instead of affording a real or a plausible solution of the mysteries which surround us, it does at best but encumber the attempt to resolve them by the interposition of an unmeaning word. It is one of those many refuges of lies, the real purpose of which is to dethrone the Creator from the moral government of his creation.

With the massacre of St. Bartholomew closes the first of the three periods of the wars of religion. The era of treacheries was now to give place to the era of conspiracies—the dominion of Catharine to the supremacy of Henry, duke of Guise. France may be considered as having henceforward resolved

itself into four encampments, sometimes warring, sometimes intriguing with each other, but each maintaining a separate policy, and aiming at distinct objects.

First. The Huguenots, acknowledging as their joint chiefs Henry of Navarre and his cousin, the younger Condé, were composed of two dissimilar sections—the Consistoriaux and the Gentilshommes. The Consistoriaux comprised nearly all the Calvinistic ministers and their disciples of low degree. They had associated themselves together with the single object of vindicating their freedom of private conscience and public worship. They took up arms, even for that purpose, slowly and with reluctance; but they were not less reluctant to lay them down again until it had been accomplished. The Gentilshommes, on the other hand, were men of rank and fortune, with whom *Huguenoterie* was a family religion, a party watchword, or a point of honor, but was seldom able to triumph over their selfish interests or personal ambition.

Secondly. The Politiques had originally been combined together as a party by the Chancellor l'Hôpital; and, after his disappearance from the world, they regarded as their chief Damville, the governor of Languedoc, the second of the three sons of the Constable Montmorency. The Politiques all professed the religion of Rome, but were desirous, by mutual toleration, to unite all Frenchmen to each other, and to engage them all in resistance to the Papal despotism. They numbered in their ranks the governors of several provinces, a large part of the magistracy, and some ministers of the Royal Council, who abhorred the carnage of St. Bartholomew, and were indignant at the degradation into which the court of France had fallen.

Thirdly. The Catholic League was a union, under the presidency of Henry, duke of Guise, of many local societies, which had been formed in some of the chief cities of France for the defense of the ancient faith. But the purposes of these associations, when thus combined together, acquired a precision and an audacity unknown to the designs of any of those separate bodies. The credit or responsibility of having thus matured so many different projects into one great and consistent conspiracy belongs to David, an advocate, who, in the year 1576, proposed to Pope Gregory XIII. a plan, which that pon-

tiff ultimately sanctioned, and promised to reconcile to the consciences of the people of France. It was nothing less than the deposition of the house of Valois in favor of the house of Guise, on condition of their engaging to annul all edicts of toleration; to exterminate all forms of heresy; to accept the decrees of the Council of Trent; to acknowledge their own spiritual allegiance to the Papacy; and to obtain from the States-General of France a similar acknowledgment. Even in the commission of such a treason, the advocate could not renounce his professional solicitude to be fortified by legal arguments, and David therefore conducted Gregory to the desired conclusion by the following chain of reasoning:

First; Pepin, he said, had acquired the crown of France from the donation of Pope Zachary. Secondly; together with that temporal right, Zachary had conferred upon Pepin an apostolical benediction. Thirdly; Hugues Capet had, six hundred years before, usurped the secular sovereignty which his descendants still retained. But, fourthly, neither he nor they had inherited, or could usurp, the apostolical benediction which was indispensable to the spiritual character of every legitimate dynasty. Fifthly; the right of the successors of St. Peter to confer that benediction, and with it that spiritual character and legitimate power, was indefeasible and imprescriptible. Sixthly; it was their duty to confer it on the most worthy. Seventhly; the superiority of desert plainly belonged to Henry, duke of Guise; and, finally, if Gregory would bestow on him the spiritual title to the French crown, the mere temporal right must follow as a comparatively unimportant but inseparable accessory.

Of David's biography I know nothing, but it seems impossible that so astute a lawyer should have missed of distinction in the Palais de Justice. His esoteric doctrines were long reserved for those who were initiated into the higher mysteries of the League. His exoteric teaching was propagated in the form of an act of association, through almost every province, city, and hamlet of France. Many different forms of it, indeed, seem to have been in use, but in each of them the subscribers bound themselves by three distinct pledges—the first, to assist all the other members of the confederacy; the second, to render an absolute obedience to its chief; and the third, to devote

every thing, life itself included, to the extermination of the heretics, and to the exclusion from France of every religion other than that of the Holy Catholic Apostolic and Roman See.

There was no age, or sex, or profession, or trade, or rank in France which did not contribute many members to this Holy League. But foremost in zeal were the Clergy. The bishop and chapter of every cathedral, the abbot and monks of every monastery, the brethren of every religious order, and the incumbents of every parish church, were organized into a compact spiritual militia, with garrisons in every city, and detachments in every village of the kingdom, ever ready to animate the zealous and to rebuke the languid in the same sacred cause, and to cheer, with assurances of present pardon and future peace, every one who hazarded his life in defense of it.

Second only to the Clerical were the Civic partisans of the League, and, among all cities, Paris was pre-eminent for her devotedness. The ancient corporate institutions of the capital became the basis of the new political or religious organization. The prévôts of the merchants in their respective districts became lieutenants of the League in each. Every guild resolved itself into a committee for promoting the success of that holy alliance. The Dixaniers, or officers of the town guard, were all placed at the head of companies, which might be convened at the first sound of the tocsin. The Quarteniers, or chiefs of the sixteen quarters of Paris, had each the command of a regiment of Leaguers; and the *Sections*, to which, in a later age, the revolutionary leaders gave so fearful a celebrity, were called into action for the first time, not by them, but by the Leaguers of the sixteenth century.

Religious enthusiasm, though the most active, was not the single principle of their association. Their leaders were skillful to touch all the chords to which the plebeian mind habitually vibrates; and they did not attempt the subversion of an ancient dynasty by the hands of the people without themselves cultivating the character and the arts of demagogues—a character which no magnanimous man will ever assume, and arts which no honest man will ever practice. Although neither magnanimous nor honest, or rather because he was neither, Guise excelled all men in the power of winning the popular confidence and of controlling the popular will. Gifted with

illustrious hereditary rank, a noble presence, a frank and courteous bearing, invincible courage, sympathy, or the resemblance of sympathy, with the suffering many against the prosperous few, and prodigal without stint in promises of reform, he was the favorite courtier of the multitudes who, from his lips, eagerly accepted their accustomed tribute of lavish flattery addressed to themselves, and of bitter invective directed against their superiors. Proposing to become the Napoleon, he commenced by becoming the Mirabeau of his generation. The League, therefore, under his orders, distributed manifestoes echoing all the grievances of the States-General. It demanded, not merely an absolute unity of religion in France, but the abolition of taxes, the independence of the Parliaments, and triennial States-General. It became a great Democratic Confederacy for the overthrow not merely of the heresies of the Huguenots, but of many of the prerogatives of the royal house, and of many privileges of the seignorial families.

And yet some of the noblest of those families continued to increase both the power and the numbers of the confederates. By joining their ranks, the Dukes of Nevers, Mercœur, Aumâle, and Elbeuf, with a long list of inferior grandees, rose to military commands, to civic governments, and to offices of emolument. Nor were there wanting magistrates of eminent wisdom, nor even men of undisputed moral worth, to impart to the League the weight of their judicial authority and of their personal virtues.

The most efficient allies, however, of Guise and his followers were the pontiffs who, in that age, occupied the chair of St. Peter. That Gregory XIII., who had chanted eucharistic masses in honor of the darkest crime which stains the annals of Christendom, should have been the willing dupe of the sophisms of the advocate David, is not surprising; but from his successor, Sixtus V., better things might not unreasonably have been expected, for he holds no mean rank among the magnanimous princes who, at no infrequent intervals, have worn the Papal tiara. The amusing account of his life by Gregorio Leti, which most of us may have read either in Italian or in English, must be considered rather as a romance than as a history; for the biographer of Sixtus lacked either the diligence to study, or the capacity to appreciate, the eleva-

tion and the dignity of his hero. Though no canonized Thaumaturgist, Sixtus wrought architectural miracles, which to this hour astonish and delight every visitor of Rome, and is celebrated by Ranke as among the wisest of the legislators, and the most vigorous of the administrators, by whom the Ecclesiastical States have been governed. He was a celebrated preacher, a laborious scholar, and a liberal patron of literature; and the edition of the Holy Scriptures, which was printed during his reign at his own press, was throughout corrected by his own hand. He labored at the internal reformation of the Church over which he presided; and the best attestation of his personal worth and piety is, that he enjoyed the affection and esteem of St. Charles of Borromeo. And yet, such is the power of our corrupt passions when engaged in any cause which is supposed to sanctify the indulgence of them, that Sixtus encouraged and applauded, and became responsible for, crimes which "might have wounded the conscience of a buccaneer."

In Philip II. of Spain the Leaguers had yet another associate, whose zeal for their cause burned fiercely, though his attachment to their persons and to their political privileges was but equivocal. In his letters, for the publication of which the world is indebted to M. Capefigue, he exhibits himself in a character for a resemblance to which all the preceding history of mankind may be traced in vain, till we ascend to the morose and gloomy solitude of Tiberias at Capreæ. From his silent retreat at St. Lorenzo, Philip contemplated the outer world in a spirit in which the dark melancholy of Johanna, and the boundless ambition of Charles, his two immediate predecessors, were combined with the marble-hearted fanaticism and the austere devotion of St. Dominic, to the maintenance of whose institutes he and they had been devoted. Endowed with unrivaled wealth, and power, and talents, and constancy of purpose, he employed them all to establish the two cardinal principles by which, as he judged, this fair world and every province of it ought to be governed; the one, the absolute dominion of the See of Rome in all spiritual matters, the other the absolute dominion of the crown in all secular affairs. To use or to assert the right of private judgment was treason against the Tiara. To refuse a passive and implicit

obedience to the prince was treason against the Diadem. To those ecclesiastical and temporal chiefs, and to them alone, it belonged to direct the conduct of mankind. To all other men it belonged only to submit themselves to that supreme guidance. The tide of mental and political freedom was rising on every side around him, and to their proud waves he opposed the stern and inflexible resistance of those maxims, boldly asserted in theory, and as boldly reduced to practice.

The democratic tendencies of the Holy League had, therefore, excited the jealousy of Philip, even while he aided with complacency the death struggles in which it was engaged with Protestantism. And thus it happened that, while lavish in promises to the confederates, he actually afforded them his support with wary and hesitating steps. His true design may clearly be traced in his correspondence. It was first to unite the Leaguers and the king for the destruction of the Huguenots in France, and then to enlist them both in his own more comprehensive project for exterminating all the heretics in Europe by a union of the Catholic powers, acting under his own direction in the cabinet, and under the command of Alexander Farnese and his other generals in the field.

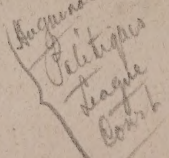
Far as the event fell short of his anticipations, they were not wholly unfulfilled. But his success was purchased at the expense of the imperishable hatred of his own name, of the debasement of his descendants, and of the degradation which from that age to our own has overspread his once prosperous and formidable kingdom.

The fourth and last of the parties into which France was divided was composed of the king, the queen-mother, and the adherents of their court. It is difficult to characterize this body without touching on topics on which it is irksome to dwell, and the particular mention of which might involve some impropriety. Charles IX. had died within a few months from the massacre of St. Bartholomew, and it seems more charitable with his enemies to believe, than with his partisans to deny, that his last hours were consumed in agonies of remorse. Henry III., his brother and successor, excited equal wonder by his superstition and his licentiousness. Sometimes he might be seen traversing the streets as a flagellant, with bare head and feet, and with shoulders which afforded the

most unequivocal proofs that his whip had not fallen on them idly or in sport. At other times he would join in a religious procession, accompanied by Sibillot, his favorite fool, who parodied, in grotesque antics and irreverent songs, the ceremonial and the chants of that devout solemnity. The next hour would find him bestowing the most costly and extravagant favors on the youths by whom he was surrounded, or outraging not only the dignity of his crown, but the decorous gravity of manhood, by the exaggeration, in his own person, of their debauched manners and effeminate appearance; or even descending so low as to amuse them by assuming female attire, and representing before them equivocal female characters. And yet among these lawless revelers (Mignons was the name they familiarly bore) were many who, with all the light-hearted gallantry of their native land, could dally with danger and with death on the field of battle; and two of them, the Dukes de Joyeuse and D'Epernon, rose to eminence both as military commanders and as statesmen.

Catharine, the queen-mother, though in the decline of life, retained all her ancient passion for power, for treachery, and for intrigue; but, adapting her machinations to the now diminished authority of the crown, she won adherents to the royal cause by the same shameful arts in which the Princes of Midian were instructed by the Chaldean prophet. Followed by a train of maids of honor, than whom no ladies ever less merited that title, she used them as her too ready instruments of seducing those whom she could not otherwise subdue, not scrupling to spread such toils even for her own son-in-law, Henry, the brave but too ductile and self-indulgent King of Navarre.

The history of France, during the second period of the wars of religion, is composed of the intrigues and conflicts by which these four parties, the Huguenots, the Politiques, the League, and the Court, endeavored to deceive, to conciliate, or to conquer one another. The successive involutions of their policy are developed in the annals of their age with a rapidity like that with which the scenes are shifted in a mimic theatre. At one time the Huguenots alone successfully resist the royal arms. Then, entering into a traitorous conspiracy with each other, the Huguenots and the Politiques establish a state with-



in a state, and by their combined forces extort from the king an almost unconditional acquiescence in their joint demands. The next act of the drama finds the crown and the Politiques allied against the Huguenots, and compelling them to surrender most of their recently acquired privileges. The League now appears on the crowded stage, constraining the court to subscribe a compact with them for the utter extirpation of heretics and of heresy from the land. The papal thunders are then heard in the distance, excommunicating "the bastard and detestable race of the Bourbons," and depriving them of the succession to the crown of France—an insult which Henry of Navarre answers by the destruction of the Catholic army at Coutras, while Guise avenges that loss by overwhelming the Protestant army of German auxiliaries. Those events are followed by the barricades of Paris, the flight of the king to Chartres, his humiliations at that city, the second States-General of Blois, and the assassination of Guise by the command and in the presence of his sovereign. The Royalists, the Politiques, and the Huguenots, then forming a temporary alliance, assemble a vast army for the capture of Paris and the annihilation of the League. But at that critical moment the knife of the monk Jacques Clement retaliates the murder of Guise by the assassination of his royal murderer, and changes the whole conduct and character of the war. In that age of terror the deed excited but little abhorrence, though even that iron generation must have been appalled to hear that Pope Sixtus V., calling himself the vicar of Christ on earth, had, in the full consistory at Rome, hazarded the frightful avowal that he regarded the self-devotion and martyrdom of Clement as admitting of no unequal comparison with the self-sacrifice which had been endured at Calvary.

The house of Valois was now extinct. Those bloody and deceitful men had not lived out half their days. Henry II. perished in the prime of life by the lance of Montgomery. His eldest son, Francis II., did not complete his nineteenth year. The unhappy Charles IX., his second son, had not reached the age of twenty-four when he died, in strange and fearful torments. At the same early period, the Duke d'Alençon, the fourth son of Henry, fell a victim to intemperance. Henry III., his only other son, was assassinated in his thirty-eighth

year. Francis of Guise met the same fate, while in the full vigor of his manhood; and Henry of Guise had not accomplished his thirty-seventh year, when he, also, was struck down by the daggers of hired murderers. It was not without an intelligible and an awful purpose that a retributive providence thus openly rebuked the persecutors of their brethren; and yet the condemnation which impartial history must pronounce on all the later sovereigns of the house of Valois may, perhaps, be justly mitigated by the belief that the madness of their predecessor, Charles VI., was, to some extent, hereditary in his race. It is a welcome escape from conclusions hardly otherwise to be avoided, but which the reverence due to our common humanity must make every one anxious to avoid.

The third and last period of the wars of religion belongs to the military rather than to the civil annals of France. It has been sung by the French Virgil in the French Æneid; and they who have read the Henriade (if, indeed, any of us can honestly say that they ever did or could read it) would hardly endure a prosaic account of that merciless controversy. Despite all the enthusiasm of Voltaire, I must, however, doubt whether his Æneas was really a great captain; and I regard it as beyond all dispute, that his story, like that of his Trojan prototype, is rather disfigured than embellished by the Didos who occupy so conspicuous a place in it. But no wit or genius can ever rescue the real catastrophe of the French epic from shame, and regret, and indignation.

Henry IV. had been trained in the Calvinistic creed by his mother, Jane d'Albret. D'Aubigné, who knew her well, says of her, that though perfectly feminine in every other respect, she possessed a masculine intrepidity of soul; that her capacity was equal to the most arduous duties, and her heart invincible by the greatest calamities. Her son was the heir of her courage and her understanding, but not of her devotion or her constancy. The early impressions of her maternal love and wisdom were, probably, never altogether obliterated from his mind, even by the habitual licentiousness both of his early and of his mature life. Yet such license never was, and never can be, associated with the faith which prepares man, by self-conquest, to become the conqueror of the world. So far as any real religious convictions can be ascribed to Henry, he seems

to have been a Protestant to the last; but that no such convictions had a very firm hold on his mind is the inference to be drawn from almost every passage of his life. When at last he preferred the abandonment of his creed to the loss of his crown, it may perhaps have appeared to himself, as it evidently did to his friends, that he was rather incurring an imputation on his honor as a gentleman than inflicting a wound on his conscience as a Christian. To this day the apostasy is defended and the dishonor denied by many of his countrymen, on grounds against which a protest must be made by every one to whom truth and integrity are something better than empty words.

"Consider," it is said, "the consequences which hung on his decision. By adhering to the Reformed Church, he must have prolonged the most disastrous of all civil wars—he must have seen the dismemberment of France between the League and Philip II.—he must himself have been superseded in favor of the Duke of Mayenne, by the States-General whom the duke had convened at Paris—he must thus have abdicated the throne of the Bourbons to the house of Guise, and must have delivered up the Huguenots as defenseless victims to the bigotry of the Leaguers and their head. On the other hand, by returning to the bosom of the Church of Rome, Henry," proceed his apologists, "had the certainty, not only of escaping these dangers, but of restoring peace to his kingdom, of transmitting the crown to his posterity, and of securing toleration to his ancient Protestant adherents. With what reason of humanity," they ask, "could he, in the prospect of such consequences, persist any longer in maintaining a religious creed, and observing an ecclesiastical ritual, to which, after all, he had never given more than a hesitating and thoughtless preference?"

To the question thus stated may first be opposed another question, What is the depth of criminality thus imputed to Henry IV. by those who represent him as conducting, during many successive years, the most deadly civil war recorded in the History of Christendom for the establishment of a religion to which neither his heart nor his understanding yielded any genuine allegiance? His accusers have never raised so heavy an accusation against him as is thus preferred by his apologists. The reverence due to the memory of so great a man, and all

the probabilities of the case, require us to reject the hypothesis that he was a hypocrite, even when leading the Huguenots in the fields of Coutras and of Ivry. His real responsibility is that of having acted on the belief that, by disavowing his faith, he would best promote the interests of his people, of his descendants, and of himself. His error was that of elevating the human above the Divine prescience, and of claiming for the foresight of man a higher authority than for the immutable laws of God. Doubtless it was not without some plausible sophistry that he reconciled to himself so willful and so solemn a departure from the sacred obligations of truth. Doubtless he believed it to be, on the whole, expedient for others and for himself. But that it was really inexpedient we know, because we know that, by the divine law, it was unequivocally forbidden.

What the future history of France would have been if Henry had clung to his integrity, is known only to the Omniscient; but, with the annals of France in our hands, we have no difficulty in perceiving that the day of his impious, because pretended conversion, was among the *dies nefasti* of his country.

It restored peace, indeed, to that bleeding land, and it gave to himself an undisputed reign of seventeen years; but he found them years replete with cares and terrors, and disgraced by many shameful vices, and at last abruptly terminated by the dagger of an assassin. It rescued France, indeed, from the evils of a disputed succession, but it consigned her to two centuries of despotism and misgovernment. It transmitted the crown, indeed, to seven in succession of the posterity of Henry, but of them one died on the scaffold, three were deposed by insurrections of their subjects, one has left a name pursued by unmitigated and undying infamy, and another lived and died in a monastic melancholy, the feeble slave of his own minister. The grandson of Henry, Louis XIV., amid the splendors which surrounded him, may appear to have been a brilliant exception from the dark fatality which waited on the other sovereigns of the house of Bourbon; but even he, by the licentiousness of his personal habits, by the arbitrary system of his government, by his wild extravagance, by his iniquitous wars, and by his remorseless persecutions, paved the downward path to the ruin of his name, of his dynasty, and of his race. If

any prophetic voice could have disclosed to Henry the events really depending on his purchase of his crown by apostasy, would that purchase have been made? If he had sought for guidance in the sacred book, which was the corner-stone of the faith he abandoned, would it not have reminded him that "the lip of truth shall be established forever, but that a lying tongue is but for a moment?"

It must not, however, be forgotten, that one of the results of Henry's renunciation of the Reformed faith was glorious to himself, and was, for a time, eminently advantageous to his people. It enabled him, in April, 1598, to promulgate the Edict of Nantes—the great charter of Protestantism in France. It commenced by an acknowledgment that God was adored and worshiped by all the French people, if not in the same forms, yet with the same intentions; and it was then declared to be a perpetual and irrevocable law, the chief foundation of the union and tranquillity of the state—First, that all men should enjoy, in private, full liberty of conscience. Secondly, that the free public celebration of the Protestant worship should, in all future times, be permitted in every place in which it had been actually celebrated, immediately before the date of that edict. Thirdly, that all superior lords might hold meetings for public worship within the precincts of their chateaux, and that every inferior gentleman might receive as many as thirty visitors at his domestic worship. Fourthly, that the Protestants should participate in all the benefits of public employments, schools, hospitals, and charities. Fifthly, that they should possess five academies for the education of youth. Sixthly, that they might convene and hold national synods; and, seventhly, that they should occupy several fortified cities, for securing to them the faithful observance of these concessions. That they were ill observed is indeed true, and that at length the grandson of Henry revoked his "perpetual and irrevocable" law is also true. Yet, during eighty-seven years, it remained the measure and the rule, if not the effectual bulwark, of the rights of the Protestant population of France.

How, then (to resume the question with which I commenced my last preceding lecture), did it happen, that the protest made by so large a part of that population against the spiritual tyranny of the Roman Church was not followed by any effectual

resistance to the despotism of the Bourbon Dynasty? The details with which I have hitherto detained you will now, I trust, enable me to bring into a narrow compass my answer to that inquiry.

That answer in general is, that the Reformation was unproductive of civil liberty in France, because the Reformed Church in that country was never able to attain to more than a temporary and precarious toleration. The more precise answer, in my judgment at least, is, that this ill success is to be attributed to the eight following causes:

First. The Calvinistic type which Protestantism assumed in France was alien from the national character. While yet a novelty, indeed, it was also a fashion. To sing the hymns of Marot in the Pré-aux-Clercs, or to join the multitude which thronged the pulpit of Theodore Beza, was the *mode* in a country where that capricious power has ever erected the chief seat of her dominion. But, ere long, the national spirit reasserted its indefeasible authority. Turning away from the cold, unimpressive worship of Geneva, the great, the noble, and the rich, followed by the crowd which usually follows them, joined again in theatrical processions to the shrines of their patron saints, and knelt as before around the altars, where the dramatic solemnities of the mass were celebrated amid clouds of incense and strains of sacred harmony. In religion, as in every thing else, the craving of the French mind for spectacle, for representation, and for effect, is, and ever has been, insatiable.

Secondly. The Calvinistic system was distinguished from that of all the other Reformed churches by the extent to which it rejected ecclesiastical tradition, and erected the whole superstructure of belief and worship on the Holy Scriptures, as interpreted by Calvin himself. Not content to sever those bonds which, reaching back to the most remote Christian antiquity, should hold together the churches of every age in one indissoluble society, he imposed on his disciples, and on their spiritual progeny in all future time, other bonds, wrought by himself from his study of the Bible, and embracing the whole compass, not of theology alone, but of moral philosophy also. His Christian Institutes claimed and acquired for a season, in his Church, an empire resembling that which the logic and ethics

of Aristotle had so long enjoyed in the schools. But Calvin was not an Aristotle. His vivacious, inquisitive, skeptical fellow-countrymen were not schoolmen. Ere many years had passed, they became impatient of the dogmatism even of their great patriarch himself. By attempting to bring all moral science within the sphere of theology, and by converting scientific principles into articles of faith, he had exposed to the attacks of that ingenious and versatile people a long line of positions, many of which, even when found to be defenseless, could not be abandoned with safety to the rest. The reaction which took place hurried the insurgents from one extreme to the other. Servetus may be said to have at length obtained his revenge. The doctrines for which he died were widely diffused throughout the churches founded by the author of his death; for, in the history of Calvinism in France, we have the most impressive of all illustrations of the truth, that no Christian society can sever itself from the ancient and once universal commonwealth of the Christian Church, except at the imminent risk of sacrificing the essence of Christianity to the spirit of independence. The Socinianism of the later Protestant Church of France was at once the proof of its inherent weakness and the cause of its farther decline.

Thirdly. The Reformation in France became comparatively barren of constitutional freedom and of its other legitimate fruits, because the Reformed Church there soon and widely departed from its appropriate character, to assume the office of a party in the state. The alliance of the Huguenots with the Politiques was fatal at once to the religious discipline of the former and to their personal sanctity. Their preachers foresaw the contaminating influence of that association, and earnestly, but vainly, dissuaded it. Thus the treaty of Milhau, of December, 1573, between the Protestants and Politiques, was little, if at all, less than a deliberate treason. Thus, also, the still more intimate connection between the Consistoriaux and the Gentilshommes, in the ranks of the Huguenots themselves, was formed at a grievous detriment to the severer virtues by which the early Reformers had been distinguished. It is the testimony of a writer of their own age and party, that the flame of piety among the Calvinists had been effectually extinguished by the dissolute and scandalous examples of their more world-

ly associates, and that debauchery advanced and overflowed among them far and wide, like an uncontrollable torrent.

Fourthly. The virtue, and with it the energy and the success, of the Protestants was farther impaired by the seductions to which their chiefs and leaders were exposed from their too frequent contact with Catharine and her court. Rank, office, and all the other allurements of royal patronage were employed to shake their fidelity; and Mézerai asserts that more Huguenots were converted in four years by these methods, than had been induced to abandon their religion in forty years by the terrors of the scaffold and of the sword.

Fifthly. Even yet more fatal to the religious spirit, and, therefore, to the moral and political influence of the Huguenots, were the sanguinary habits they contracted during many years of civil warfare. The atrocities of that dark era were not confined to the Catholics. As the contest proceeded, the parties on either side became gradually bereft, not only of the spirit of Christianity, but of the feelings of our common humanity; while the moral sense was paralyzed, if not deadened, by the sight and the perpetration of remorseless cruelties. To men stained with such crimes, however sorely provoked to the commission of them, it was not given to raise aloft the cross of the Redeemer, and to announce the tidings of peace and reconciliation. By the lips of such heralds, even the Gospel itself was proclaimed in vain.

Sixthly. The relations between the Huguenot Church and the state being always those of antagonists, there subsisted between them no alliance to arrest that instability of religious opinions to which independent ecclesiastical bodies are so much addicted, or to infuse into the body politic those principles of social equality and of mental freedom by which the Protestant Churches are habitually distinguished.

Seventhly. It was the error and the misfortune of the French Protestants to confide the conduct of their cause to the princes of the house of Bourbon. The first of them, Anthony of Navarre, deserted and betrayed it in the visionary hope that the Triumvirate would reward him by the exchange of his nominal crown for a real sovereignty. His brother, Louis de Condé, deserted and betrayed it in the persuasion that Catharine would confer upon him the office of lieutenant general of

France. The younger Condé deserted and betrayed it to rescue his life from the assassins of St. Bartholomew. Henry IV. twice abjured the Protestant creed, first for the preservation of his life, and then for the preservation of his crown. These treacheries of the four Bourbons, whom the Huguenots followed in the civil wars, were only less fatal to their interests than the unrelenting persecutions of the three Bourbons, who successively occupied the French throne between the death of Henry IV. and the accession of Louis XVI. For,

Eighthly. It is to the persecutions to which the Protestants were exposed, from the time of their first appearance in the city of Meaux till the near approach of the French Revolution, that we must chiefly ascribe their failure to acquire the authority and influence necessary to their propagation of constitutional liberty in France. The story of these persecutions, so merciless, so unrelenting, and so continuous, fills vast volumes which have been dedicated to the memory of the sufferers by the martyrologists of their own party. It is a story which no man would either willingly read, or repeat, or even abbreviate. It exhibits our common nature in its most offensive aspect. It pervades every era of the French annals. It assumes every conceivable form of cruelty and injustice, and many forms inconceivable to the darkest imagination, unaided by an actual knowledge of those horrible details. If the most terrific act of this prolonged tragedy was the massacre of St. Bartholomew, the most revolting was the Dragonnades of Louis XIV. Catharine and her son had at least the excuse of believing that the enemies they destroyed were dangerous to their own safety, and their offense was not committed under the veil of any eminent devotion. Madame de Maintenon and her husband, on the other hand, neither felt, nor affected to feel, any dread of the myriads of helpless victims whom they impoverished, banished, imprisoned, and destroyed. But it was at the bidding of their confessors—with the cordial support of their priesthood—with prayers continually on their lips—and in the name of the Prince of Peace, that they daily offered up these human sacrifices. The blood of the martyrs has, indeed, been the seed of the Church, but not when the hearts of the persecutors have been sufficiently steeled against all lassitude, compunction, and remorse. In almost every part of Europe, which at this day

acknowledges the spiritual dominion of the Papacy, the sword, the scourge, the brand, and the ax, wielded by the secular powers, under the guidance of their spiritual advisers, have effectually arrested the progress of the Reformation. In France, those weapons were but too successfully employed, by the houses of Valois and of Bourbon, to crush religious liberty, and with it to eradicate the seeds of constitutional freedom. But they were also, however, unconsciously employed to prepare the way for the convulsions by which two whole generations of mankind have been unceasingly agitated, and by which the Capetian Dynasty has again and again been subverted from its once immovable foundations.

Feb. 11. 1853

LECTURE XVII.

ON THE POWER OF THE PEN IN FRANCE.

At the commencement of these lectures, I observed that it was the high office of History to trace out the progress of public opinion in molding the character and the condition of the nations; and I added that to indicate some of the steps of that progress in France was the arduous task which I had ventured to propose to myself. It is, indeed, a task so arduous, that I ought, perhaps, to apologize for undertaking it at all. The leisure and the studies of a whole life would scarcely be sufficient for following the course of a few only of the many confluent streams by which the current of opinion was fed and swollen, as it shaped out the destinies of the French people. Who, indeed, shall undertake, with any confidence, to determine what were the political views, or what the moral sentiments, most widely diffused among them at each successive epoch of their national life? Or who will pretend to such skill in the science of moral analytics as to be able to resolve into their elements the motives by which they were actuated, or the judgments by which they were guided, at even any one solitary period of the long centuries of their political existence? If the secrets of any single bosom baffle the keenest human scrutiny, how may we hope to penetrate the mysteries of those great social move-

ments, in the production of which the wills of myriads, if not of millions, of independent agents were concurring?

I answer, that all we can expect, and perhaps all that we can desire, is to approximate to the true solution of these enigmas; and that, though nothing less than Omniscience can completely resolve them, yet the faculties intrusted to ordinary men may be sufficient to ascertain both what have been the predominant propensities of a great people during the growth and development of their power, and in what sources such national characteristics have chiefly originated. The foremost minds of France have at all times been not only the zealous authors, but the faithful interpreters also, of the thoughts and purposes of their successive generations. In the darkest not less than in the brightest seasons, a voice exhorting, guiding, and animating the French people was ever raised—by the Church, through her ministers and in her ministrations—by the Parliaments, through their illustrious magistrates—by the States-General, through their patriotic leaders—and especially by Literature, through those master spirits who labored, from one age to another, to enrich, to accumulate, and to transmit the intellectual patrimony of their own and of all succeeding times. It was, indeed, a voice which gave utterance to many discordant lessons; sometimes inculcating either the sacred truths and laws of our most holy faith, or the received doctrines of moral and political philosophy, or the sense of honor, or the love of country; and, on other occasions, teaching either a fatal Pyrrhonism, or an insatiable thirst for military glory and aggrandizement, or inexorable national antipathies, or ignoble superstitions, or religious errors. But whatever might be the teaching of those whom, at successive epochs, France acknowledged as her spiritual and mental rulers, that teaching was never really ineffectual. It gradually molded the mind of her people, and governed their resolutions. It fostered, when it did not create, in them much of that traditional character, at once so admirable in its beauties, and in its deformities so revolting. The husbandry bestowed on the hearts and on the understandings of Frenchmen has ever been prolific of an abundant harvest. Their faults are not, and never have been, those of men abandoned to the untutored instincts and brute appetites of nature. Even in the wildest paroxysms of revolution

and bloodshed, they have, for example, invariably and passionately maintained that the commonwealth is constituted, not for the advancement of material interests merely, but for higher and nobler, though too often, indeed, for impracticable ends. They have frequently been subjected to the tyranny of the imagination. Sheer nonsense, in the masquerade of sublime abstractions, has continually ruled over them. They have bowed down to other tyrannies far baser and more oppressive than those; but, as a people, they have never taken Mammon for their God. They have not allowed the cares of life to annihilate its healthful illusions, or to poison its blameless delights. They have ever rendered a voluntary or an unconscious allegiance to those dominant minds of their nation, who have ruled by force of reason or eloquence, of wit or genius, justly or unjustly ascribed to them by the suffrages of the multitude.

He, therefore, who would interpret the fate of the dynasties and of the people of France, must study her political by the light of her ecclesiastical, forensic, and literary history. I need scarcely disavow any such ambitious purpose. My aim is far more humble. I design merely to throw out some passing suggestions on the influence exercised over the civil government and polity of that kingdom, not either by the Church, the Parliaments, or the States-General, nor even by Literature in general, but by some eminent men of letters. Among the countless authors to whose labors that influence may be more or less truly referred, I shall select a few only; but those few will be such as, from time to time, attained to a literary supremacy in their native land. To notice the rest is to me, at least, as impossible as it would be superfluous; for all the writers who have in turns been elevated to the dictatorship of the Republic of Letters in France have a family resemblance, which attests their mental consanguinity. By means of that resemblance, their descent may be readily traced. Theirs is a lineage which, commencing with the patriarchs of remote ages, is perpetuated in the Guizots, the Cousins, and the Lamartines of our own days. If we can seize the generic character of that imperial race, we shall sufficiently understand the nature of the impulses which, in successive ages, they have given to public opinion, partly by their own personal exertions, and partly by those of their imitators and disciples.

The literature of France is of a much earlier date than French literature. From the days of Charlemagne to those of St. Louis, a long series of French authors traversed the whole circle of the sciences; but they employed for that purpose, not French, but either classical, or scholastic, or rustic Latin. It is, indeed, only in deference to a national prejudice, as unfounded as it is inveterate, that I place Charlemagne and his learned courtiers among Frenchmen. The founders of each of the two imperial dynasties were both aliens from France. Charlemagne was in every sense of the word a German, as Napoleon was, in almost every sense, an Italian; and the school over which Alcuin presided at Aix-la-Chapelle was no more Gallican, than the academy founded by Richelieu at Paris was Teutonic.

The rustic Latin (or Roman, as it was called) of France was scarcely the same language to the north and to the south of the Loire. It was ingrafted by the victorious Romans, after the age of Cæsar, on the aboriginal tongues spoken on either side of that river. But in Cæsar's time those tongues were themselves widely dissimilar. In the Celtic and Belgic provinces of Gaul there then prevailed different dialects of that widely-diffused speech which is at this day in use in Ireland, in Wales, in the north of Scotland, and in Brittany. In Aquitaine, on the other hand, both the vocabulary and the grammar were, at that period, Iberian rather than Gallic. There, also, the Greek of Marseilles and of the adjacent Ionian colonies, and the Arabic of the Saracenic invaders, each in turn left copious and rich deposits, both of words and of constructions; and the half-civilized Goths of Aquitaine contributed far more than the barbarous Franks of Neustrasia or Austrasia to ennoble and enlarge the popular speech of the nations among which they had respectively settled. For these reasons, and for others which I can not now pause to mention, the rustic Latin of the North was a comparatively meagre and unformed tongue, while the rustic Latin of the South was a tongue comparatively affluent, graceful, and expressive. The northern variety passed into modern French. The southern or Romance dialect became the language of poetry and of the Troubadours. It was at length swept away under the desolating crusades which so nearly exterminated the populations of Provence and Languedoc.

I do not turn aside from my path to attempt any estimate of the influence of the Romance poetry on the character and polity of the French people, partly because that poetry is signalized by no one great and imperishable work, and partly because the problem has been so recently and so completely solved by M. Fauriel in his Histoire de la Poësie Provençale. He is one of those writers of whom his country may be justly proud. Under a weight of erudition, beneath which most men would stagger, he moves with the graceful ease which might seem to belong only to the lighter sports of fancy; while all the comprehensive and intricate principles at his command are evolved with that exquisite skill, the distinctive character of which is to hide itself in its own perfection. M. Fauriel is of course an enthusiast in his pursuit, for that was necessary to the success of it; but his enthusiasm has, unhappily, too much the mastery of him. He has always a smile, if not an apology, at hand for the moral delinquencies of his heroines and his heroes; and is, I think, never once moved to reprobate that systematic contempt for conjugal fidelity by which the amatory strains he celebrates are habitually warmed and animated. I fully admit that the provinces of the moralist and of the critic are not the same; but I can not admit that any man, and least of all that any man of genius, may, with impunity to his own mind, or without injury to the minds of others, treat with indifference, even in his critical capacity, the eternal distinctions between good and evil.

In proportion to our reverence for that sacred priesthood who, by eucharistic sacrifices of half-inspired verse, celebrate from one generation to another the works and ways of the Creator, joining, each according to his vocation and his gifts, in the unbroken chorus of meditation, of love, of gladness, or of resignation which perpetually ascends from earth to heaven—in that same proportion will, I believe, be our distaste for the lyrics of the Troubadours. I know not, indeed, of any social phenomena more remarkable than that there should have been found in any country a constant succession of men, and of men of no vulgar stamp, who, during more than a century and a half, sang their life-long changes on the same narrow round of amatory thoughts and fancies; and that, throughout all that time, such bards should have still found a ceaseless

throng of admirers to follow and to extol them. Not even the magic of M. Fauriel's style seems to me sufficient to rescue the perusal of his specimens of these interminable love-songs from disgust and lassitude. The spirit they breathe is so false, fictitious, and artificial, that their grace and wit are insufficient (at least in my judgment) to redeem them from aversion, and even from contempt. On a former occasion I hazarded the opinion that the connection was neither fortuitous nor obscure, but providential and significant, between the national character to which the Provençale poetry bears witness, and the destruction of the race for whose delight it was written, and by whose applauses it was rewarded.

But while in Southern France the most cultivated intellects were whiling away their existence under the narcotic influence of such strains as these, accompanied as they were by all the embellishments of music and the dance, a far sterner discipline was preparing the cultivators of letters in the North for that momentous controversy which was to be carried on there in the twelfth century, upon some of those great questions which the most closely affect the present duties of mankind and their eternal prospects. The preparation for that debate had been made long before by many illustrious scholars of the Benedictine order, and especially by one of them, whose name I can not pass over in silence, although his writings have long since been laid aside and forgotten.

About the middle of the tenth century was living, at the monastery of St. Gerauld, in Auvergne, a youth, of whose future eminence the abbot of that house had formed the highest hopes. His name was Gerbert; and, for the completion of his studies, the abbot (in what we should now call the spirit of an extreme liberality) sent him to Seville and Cordova, where Arabian teachers instructed their pupils in geometry, astronomy, arithmetic, and algebra. From those celebrated schools, Gerbert returned to France to earn the reputation of a sorcerer. That he was concerting with Satan some unhallowed designs which the heart of man ought not to conceive, and which the tongue of man could not utter, was a belief not unnaturally drawn from the mysterious characters, the cabalistic signs, the groups of constellations, and the lines sloping in all directions, and meeting at all angles, which his hand was con-

tinually tracing. Or, if any reasonable doubt had existed, who could resist conviction when informed, as the world was widely informed, that while Gerbert was predicting all future events, and ascertaining all that had passed in former times, foul demons, in the form of gigantic bats, had been seen to envelop him in their sable wings.

And yet Gerbert rose to be first a minister in the cathedral church of Rheims, and then to be archbishop of that see. But his love of knowledge was insatiable, and to indulge it he resigned his mitre, and visited the schools of Italy. There his fame reached the ears of the emperor, Otho the Great, by whose influence he became Archbishop of Ravenna; until at length, under the name of Silvester II., he ascended the papal throne. The belief in his magical powers seems to have gathered strength by this last advancement; and, as far as can now be ascertained or conjectured, it must be confessed that the spells by which he wrought were indeed marvelous. An eloquent and pathetic writer, he stirred up the Pisans to the first expedition ever undertaken by the powers of the west for the defense of the pilgrims visiting the Holy Sepulchre. He studied and wrote upon antiquities, poetry, grammar, and logic. He is said to have taught the use of lofty and sharp-pointed poles as lightning conductors; and he was the author of many books, which are reported to be still in the Royal Library of Paris. One of these, called Rythmomachia, is described as containing a comparison between the Arabic numerals and the algebraic symbols, as far as relates to their respective uses, functions, and powers. In another we are told that he explained, geometrically, the science of harmonics, the structure of clocks, and the various methods of working the keys of the organ by water or by wind. Of his private life, nothing, I believe, is recorded. But enough remains to show that, in that dark age, there was one Frenchman who had the heroism to cherish, and the genius to execute, the design of combining in his own person a two-fold supremacy, and of reigning at once over the ecclesiastical and the scientific commonwealths of Christendom.

In the twelfth century, however, the darkness of those times was to pass away. In that memorable age may be discerned the budding of the most prolific of those ideas, which were to

yield their fruit at the era of the Reformation and of the revival of letters. Commerce and the arts, philosophy and literature, then began to emerge from the shadows by which they had been so long enveloped. Then was the period of transition from the mediæval barbarism to the modern civilization—the crisis at which light and order first began to penetrate and to organize the preceding chaos. It was in that dawn of the intellectual and social renovation of a yet distant period that France first asserted her claim to be the chief instrument of Providence in civilizing the European world. Her own monarchy had now become firmly settled in the Capetian race. She had taken the chief conduct of the Eastern crusades—the stormy source, as we have seen, of personal freedom, of political and military organization, of commerce, and of learning. Her name had become familiar and formidable throughout the limits of the ancient empire; and her arms had already diffused, beyond her own shores, some knowledge of her language. It was still, however, imperfectly formed, and was unfit (at least in the judgment of her greatest men) for literary uses. The rustic Latin of the South had indeed been dedicated to such uses by the Troubadours; but in the North, the rustic Latin, or French, was still superseded by the Latin of ancient Rome, as often as men sought to impart or to acquire learning or philosophy, whether theological or secular.

The throne of philosophy was then filled by a Frenchman, whose name has ever since occupied one of the foremost places in the literary annals of France. William, the son of a peasant of Champeaux, a town in Brie, was, in that age, a teacher of theology and logic to a crowd of students, who daily gathered round his chair in the cloisters of Nôtre Dame. Among them was a young Breton, whose short, feeble, and attenuated frame contrasted strangely with a countenance of which the expression (enthusiastic and voluptuous by turns) seemed to announce an habitual conflict between his spiritual and his sensual nature. At one time he poured out, for the delight of his companions, songs of his own composition, or charmed them by his jovial mirth, or entranced them by his mellifluous colloquial eloquence. At another, he startled and repelled them by a manner vehement, unsocial, and abrupt. Though still young, he had traveled far; passing, as a kind of philo-

sophical Quixote, through every land in which glory was to be won in dialectic tilts and tournaments. The youth, whose temperament was at once so joyous, and irritable, and aspiring, could not long submit himself to the authority of the grave William of Champeaux.

Abandoning his master, Abeillard, or Abélard (for such was the name won for him by his honeyed discourse), established first at Melun, and then at Corbeil, a school of his own, where, such was the throng, and such the eager curiosity of his pupils, that they were content, during the season of his lectures, to dwell in huts rudely composed of reeds and mud. With characteristic self-reliance, Abélard commenced his academic course by declaring war on the doctrines of his former master; and as William of Champeaux had taught Realism, he announced himself as a devoted opponent of that doctrine. From Corbeil he returned to Paris; and there, taking his place on the mount, and in the gardens of Ste. Geneviéve, he is said to have explained, to no less than 3000 scholars, each in turn, of the philosophical systems of his age.

But philosophy was not his only pursuit. Fulbert, a canon of the Church of Paris, inhabited a house in one of the islands of the Seine, where dwelt with him his niece Loise, or Héloise; a damsel who, although she had not yet completed her seventeenth year, was passionately devoted to the pursuit of such knowledge as was then held in the highest esteem in the world of letters. At the mature age of forty, Abélard, then in holy orders, became the guest of Fulbert, and the teacher and seducer of Eloise. With virtue they abandoned tranquillity and peace; and the revolting tale, on which romance and poetry have lavished so many meretricious ornaments, is not an idle fiction, but a melancholy truth.

In his subsequent seclusion, first at the Oratory of the Paraclete, and then at St. Gildas, in Brittany, Abélard resumed the office of a prælector, and became the great interpreter, in France, of the philosophical ideas of his own generation. In common with the other schoolmen of that day, it was his office to analyze the truths of Holy Writ by the logic of Aristotle, and to explicate them by the aid of Aristotle's moral and metaphysical doctrines. He was also the author of some books, of which a full account may be seen in the twelfth volume of the

Histoire Littéraire de France. The most remarkable of them are said to be the "Hexameron," an allegorical review of the creation, and of the order of the material universe; and a book on self-knowledge, in which the author is charged with having taught, in its vilest form, the Epicurean opinion that the soul is exempt from all taint and all responsibility, whatever may be the excesses of the merely animal appetites.

I know nothing of the truth or falsehood of that imputation, for the book in question is not contained in the only series of the works of Abélard with which I have any acquaintance. I refer to the collection of them which was published in 1836 by M. Cousin, under the authority of M. Guizot, then the minister of public instruction in France, and which first made known to the world two of the most remarkable and characteristic of Abélard's writings.

I have said that he was a devoted opponent of Realism; but you will not suppose that I am about to deviate into that great controversy. I advert to Abélard's contribution to it chiefly as illustrative of the remarks which I shall hereafter have to make on the identity of the spirit of the most eminent philosophers of France, in ages the most remote from each other. How much there was in common between Abélard and his great successors, Montaigne, Bayle, and Blaise Pascal, may, however, be in some measure inferred, even from the following brief notice of his war with the Realists.

In his essay "De Generibus et Speciebus," Abélard ascribes to his master, William of Champeaux, and generally to the Realists of his times, a doctrine, which may, perhaps, be sufficiently understood from the following specimen or illustration of it, with which he amused his readers and himself.

Like all other universals, Humanity is a thing essentially one and indivisible. If to that one thing there accedes a certain congeries of forms, the result is to produce the individual man, Socrates. The accession to Humanity of another assemblage of forms produces the man Plato. The Socratic forms and the Platonic forms may be totally dissimilar; but beneath that diversity of species is veiled an absolute identity of genus. The same universal man lives in both, though he be enveloped in each by different integuments.

To this doctrine, or rather to this illustration of the Realist

doctrine, Abélard answers: "First. If Plato be at Rome, and Socrates at Athens, then the universal man, who is common to them both, must be at the same moment at Athens and at Rome; that is, he must be in two places at once.

Secondly. The universal man, who has taken to himself the forms of Socrates, is inseparable from those forms. Wherever that universal man is, there also, consequently, must Socrates be. Therefore Socrates is at the same moment at Athens, and at every other place at which the universal man is present, under the forms of any other individual than Socrates himself.

Thirdly. As the universal man is the latent substratum of the forms of all individual men, it follows that wherever *any* man is found, there also is to be found *every* man. Indeed it is evident that there is, after all, but one man in the world, who is appearing at each moment in some hundreds of millions of dissimilar aspects, and in as many separate places.

Fourthly. As the Socratic and the Platonic forms accede to and embrace, not merely the universal *man*, but also the universal *animal*, it is evident that if that animal be sick in Socrates, he must at the same time be sick in Plato; and so, if there be any one sick man, the whole world must be one vast hospital.

Finally. Seeing that the universal animal, under the species of certain living things, is rational, and, under the species of other living things, is irrational, and yet is alike enveloped, and alike alive in each of those things, there is no escaping the consequence that every animal is at once rational and irrational.

The *argumentum a cachinatione* in this case, as in most cases, proves little more than the vivacity of him who uses it. The Voltaire of the twelfth century, like his great antitype of the eighteenth, was, however, not content to laugh down systems of belief without building up others in their room. But, while contending with Realism, he was unwilling to espouse the antagonist theory of the Nominalists, or to assert with them that all universals, Humanity for example, or Animality, were mere words. In the judgment of his age, and, I suppose, in his own judgment, that doctrine was irreconcilably opposed to many articles of the creed of the Church. That it was really opposed to the article of transubstantiation seems indeed to ad-

mit of no doubt whatever. Every consistent Roman Catholic is a Realist. To avoid the reproach of heresy, therefore, or perhaps for yet better reasons, Abélard devised that compromise between the contending parties to which metaphysicians have given the name of "Conceptionism." If universals were neither real entities nor mere words, they must be so many conceptions of the mind. Even, therefore, if it be admitted that there is no substantive reality except in individuals, yet between different individuals there are various resemblances and analogies which the mind observes and classifies. To the classes so formed, and to them alone, Abélard maintained that the characters either of genera or of species properly belonged.

M. Cousin, who has most luminously explained this compromise, thinks that, by means of it, Abélard rather evaded than solved the difficulty; and that, either unconsciously or covertly, he was to the last, in the proper sense of the word, a Nominalist. I do not presume to express an opinion on this very subtle question; but from Abélard's treatise, called "Sic et Non," I can not but surmise that, though the supposed tendency of Nominalism to subvert the foundations of the Christian faith might render him very reluctant to avow himself a Nominalist, it might not really much indispose him to the acceptance of that philosophy.

The words "sic et non" might, perhaps, be best rendered into English by our homely phrase *See-saw*. The Benedictines, and especially the excellent and learned D'Achery, had a copy of the book, which they laid aside as unfit for publication. I respect the firmer faith in the invulnerability of truth, which has induced M. Cousin to give it to the world, as I admire the charity with which that most eminent philosopher would reconcile Abélard's character as a sincere Christian and an honest man with his publication of such a treatise. M. Cousin regards it as a collection of theological problems or contradictions, designed to fortify the mind by a salutary skepticism against the acceptance of any narrow and precipitate solutions, and so to prepare it for solutions of a more solid and durable nature. "The skepticism of Abélard," says his editor, "was merely provisional. He proposed, at some later period, to reconcile the contradictions which he thus brought together, and, by the power of logic, to reclaim men from doubt to faith and

orthodoxy." That such was the real though unavowed design, it is at least pleasant to believe, and who would refuse himself that pleasure when assured by such a critic that he may legitimately indulge it. But, apart from that assurance, I confess that I should have thought that, in this case, a less favorable conclusion was inevitable.

In the Prologus of the "Sic et Non," Abélard insists on the difficulty of rightly understanding either the Scriptures or the Fathers, and he traces it to eight distinct causes. These are, first, the peculiarities of their style; secondly, their employment, on scientific subjects, not of scientific, but of popular language; thirdly, the corruption of the text; fourthly, the number of spurious books; fifthly, the frequent retractations by the Fathers of their own previous statements; sixthly, their careless use of their profane learning; seventhly, their habit of describing things, not as they really are, but as they appear, and as they are supposed by the vulgar to be; and, eighthly, their repeated use of the same words in two or more different senses. He advises that, when the apparent contradictions of the Scriptures can not be explained by any of these considerations, we should abandon the manuscripts as inaccurate, and that we should draw a broad distinction between the canonical Scriptures, "in which every thing is of necessity true," and all other ecclesiastical writings—between the apostolical and all other scriptures—and between the sacred text and all comments upon it.

Then, proceeding to establish the existence of these alleged contradictions, Abélard proposes a series of questions ranging nearly over the whole compass of theology and morals, and sets himself to show, under each, that opposite or inconsistent answers to it may be drawn from the Holy Scriptures, or from the Fathers, or from both. Of those questions the following are examples:

"Quod non sit Deus singularis; et contra. Quod sit Deus tripartitus; et contra. Quod sit filius sine principio; et contra. Quod nihil fiat casu; et contra. Quod peccata etiam placeant Deo; et non. Quod omnia possit Deus; et non. Quod creatura sit adoranda; et non. Quod nullâ de causâ mentiri liceat; et contra," &c., &c.

On the manner in which the task of arraying scriptural

against scriptural, patristic against patristic, authority is thus accomplished, I offer no remark, except that the writer has evidently no scruple in asserting on any grounds, however slight, the actual existence of such a conflict. M. Cousin observes that, under the encumbrance of quotations and precautions, both the thoughts and the style of Abélard falter; but adds that, as he emerges from these defiles, and approaches the end of his work, he resumes his force and freedom, until at length he loudly proclaims his cardinal principle, that doubt is the true key to wisdom: "Dubitando enim ad inquisitionem venimus, inquirendo veritatem percipimus."

Notwithstanding the almost irresistible weight of M. Cousin's judgment, I confess myself (as, indeed, I have already said) to be unconvinced of the sincerity of Abélard's loud avowals of an implicit faith in the Scriptures. If we look rather to the evident tendency than to the categorical expressions of his book, it seems to me nothing else than an anticipation of the style in which many French, and not a few English, writers have conducted, and are still conducting, their assaults on Christianity. No one can have much acquaintance with the literature of either country who is ignorant that it is among the common artifices of the more recent enemies of our faith to assert their implicit acceptance of its credentials; to undertake an orthodox interpretation of many passages of its sacred canon; and even to set themselves to refute objections to its truth; taking good care, however, in their assumed office of Christian advocates, to throw into their statement of those objections the accumulated weight of their learning, and the whole force of their reasoning powers.

To the "Dubitando ad inquisitionem, inquirendo veritatem" of Abélard, a voice of incomparably greater force and eloquence even than his answered from the eastern frontiers of France in apostolic language: "Animalis Homo non percipit ea quæ sunt Spiritûs Dei. Stultitia enim est ei; et non potest intelligere, *quia spiritualiter examinatur*." It was the voice of Bernard of Clairvaux, perhaps the noblest, and certainly the most persuasive, of all those imperial spirits who have successively contributed to mold the intellectual and moral character of his and their native country.

In the year 1100, Robert, a monk of the order of St. Bene-

dict, established a religious brotherhood at Citeaux, which was at that time a waste or forest on the confines of Champagne and Burgundy. Under his directions, an oratory, with a group of surrounding cottages, were erected there for that branch of the great Benedictine family which afterward derived from the place the distinctive designation of Cistercian. Within ten years Robert had been succeeded in the government of the monastery by St. Stephen Harding, an Englishman, under whose guidance the monks, as we are assured by their annalist, labored with the most austere self-discipline to regain the sacred image in which our race was originally created. They found it, indeed, a rugged path; for, while their brethren of the princely house of Cluny denounced their ascetic practices as schismatical innovations, disease was hurrying one after another of the new fraternity to premature graves.

Much perplexed to discover why it pleased the Supreme Disposer of events so to afflict the most devoted of his worshipers, St. Stephen (so runs the accepted legend), as he stood by the couch of one of his dying followers, commanded him, in the name of holy obedience, to return, after his death, to Citeaux, with such intelligence as he might be able to obtain in the world of departed spirits as to the Divine pleasure regarding the Cistercians, and as to the light in which it behooved them to consider their own scheme and manner of life. The monk died, and, I need scarcely add, revisited the abbey, bringing with him the welcome intelligence that the conventual habits in use there were most acceptable to the Supreme Judge, and authorized to assure them that, ere long, they should see their oratory thronged with new brethren, of whom many should be great, many rich, and many noble, but who, after a temporary abode at Citeaux, should, like so many swarms of bees quitting their native hive, be dispersed on every side, receiving and imparting benedictions. Falling on their knees, the few survivors of the Cistercian brotherhood implored the fulfillment of this gracious promise; and, while the prayer was yet on their lips, a procession was seen to advance slowly through the forest to the gates of the monastery. It was preceded by Bernard, then a youth in his twenty-first year, whose commanding form and expressive countenance enhanced the admiration due to his free and graceful bearing.

Casting themselves at the feet of St. Stephen, Bernard and his companions demanded and obtained permission to perform their novitiate at Citeaux; and then the joyful and now united companies joined in the sacred strain, "Rejoice, thou barren, that bearest not; break forth and sing, thou that travailest not; for the desolate hath many more children than she which hath an husband."

Unless we refuse to listen at all to monastic stories, we must be content to receive them in the monastic style, and with the usual monkish embellishments. But the circumstances which had moved Bernard to migrate to Citeaux, though scarcely less marvelous than these, are far more authentic.

Elizabeth, the daughter of the Count of Montbar, bore to her husband Tecelin, the Lord of Fontaines, six sons, of whom Bernard was the third, and one daughter, to whom her parents gave the name of Humbeline. Tecelin was a great captain, and while he took the field at the head of his vassals, Elizabeth instilled into the minds of her children those sacred lessons which maternal love most effectually teaches. One after another of her sons, however, in due time, followed their father to the wars, Bernard alone being left to listen to the instructions of his mother. They sank so deeply into his heart, that the kindly discipline of his childhood ripened into the philosophy of his declining years; into that philosophy which discovers, in the exercise of love, the foundation of all our knowledge, either of divine or of human things.

From the heavenward aspirations to which he was thus trained from infancy, Bernard derived that fascinating eloquence which bound, as with an irresistible spell, every one with whom he was brought into communication. To such a mind as his, animated by such filial remembrances, it was natural, and perhaps easy, in the very morning of life, to prefer, to all which this world has to promise, the cell and the austerities of an anchorite. Such seeming prodigies admit a very simple and familiar explanation. But to persuade all the members of his family to assume the same indissoluble fetters required a power of persuasion, in which he probably never found a successful imitator, except, indeed, in the person of Angélique Arnauld, the illustrious abbess of Port Royal des Champs. In obedience to his voice, first Gauldry, count de Touillon, his

uncle, a renowned soldier, exchanged his coat of mail for the monastic habit. Then Barthelemy, his brother, resigned, at his invitation, the service of the Duke of Burgundy for the life-long obscurity and privations of a convent. Andrew, another of his brothers, while listening to his words, had his eyes opened to see their mother smiling upon them from her abode in Paradise, and, laying down his sword, he consecrated the remainder of his days to prayer and meditation. Guido, who was the eldest son of their parents, and the heir to the estates and honors of their house, rendered a still more impressive homage to the eloquence of his brother. Surrendering all his wealth and prospects, he even divorced himself from the wife of his youth, and joined the little band which acknowledged Bernard as their spiritual conductor. Gerard, the second of the sons of Tecelin and Elizabeth, strove, but strove in vain, to resist the universal fascination. And when this last victory had been won, Bernard, attended by Barthelemy, by Andrew, by Guido, and by Gerard, knelt before Tecelin to obtain his last blessing ere the separation should be completed, which was to leave the widowed father with no child to sustain the infirmities of his age except his daughter Humbeline, and Nivard his youngest son.

The agony of that parting had just been endured, when, as the five young men were for the last time quitting their parental roof, Nivard met them, and, immediately joining his brethren, followed the steps of Bernard to the desert. Of thirty persons who accompanied him to Citeaux, six were thus members of his own family—his uncle and his brothers. Not long after, Humbeline also appeared at the gates of the abbey. She sought, it is said, to win back Bernard to the world which worshiped her, and which she at that time worshiped. The words interchanged between them were few, but those few words riveted on her inmost soul such convictions of the vanity of life as made her fly from it to the severe, but, as she now judged, the salutary and peaceful solitude of the cloister. Deserted by all his children, Tecelin himself at last sought, and, let us hope, did not seek in vain, for consolation, by submitting himself as a simple monk to the spiritual government of his own child, Bernard, then the Abbot of Clairvaux.

Clairvaux, a fair valley, as the word implies, lies between

the slopes of two opposite ranges of hills, at the distance of about twelve miles from the city of Bar-sur-Aube. One of the promised swarms of conventual bees had migrated thither from Citeaux, under the guidance of Bernard, and there he passed the whole of his earthly pilgrimage, unless when either the extremity of disease, or his zeal for the interests of the Church, occasionally drew him to a distance. Except by such maladies and such journeys, the monotony of his monastic life was unbroken, and no skill in narrative could render the detail of it either interesting or really intelligible. It is almost superfluous to say that strains of unearthly music, audible to no ears but his, would sometimes rise and die away along the walls of his monastery; that celestial visitants descended into his cell; that Benedict himself came from the abodes of the blessed to hold communion with his illustrious disciple; and that she who was blessed above women, the very goddess of the place, not seldom presented herself there to the adoring eyes of her enraptured worshiper. Neither was there any lack of miracle. Paralysis and epilepsy disappeared at the bidding of the saint; and, stranger still, by exclaiming *excommunico eas*, he caused the instant death of so vast a multitude of flies, who were interrupting the dedication of the church of Foigny, that, says the chronicler, the attendants carried them out by shovelsful.

This biography of the cloister is at once so monotonous, and in effect at least, if not in design, so profane, that it may well excite our wonder that so many good men should have repeated, and that so many sane men should have believed it. But not even the coarse handling of those who have undertaken to write the life of Bernard can reduce him to the level of a vulgar hero of ecclesiastical romance. In the history of mankind there is no passage better attested, and none more worthy of diligent meditation, than that which exhibits him as exercising, over the men of his own and of future times, a moral dominion more enduring and more extensive than that of the greatest ecclesiastical or secular potentate—a dominion acquired by his own regenerate soul and magnificent understanding, without the aid of any temporal advantages or of any external power, except, indeed, that power which he drew from his unceasing communion with the eternal fountain of holiness and of light.

To us of this generation, it may appear inexplicable how the ruler of a convent, erected by himself in a wilderness remote from cities, and seldom visited by even a solitary traveler, should attain to such authority, not only among his own nation, but throughout Europe at large. But, in the days of Bernard, while all other powers were separated from each other by wars, or ignorance, or by the dissolution of ancient kingdoms into petty fiefs, the clerical order was bound together by a closer and a firmer chain of mutual dependencies, and a more regular subordination than at any preceding or subsequent period. Not only had the victories of Hildebrand and his immediate successors attached the whole ecclesiastical hierarchy with increased firmness to Rome, but the Benedictine order, as yet unrivaled by any new monastic institutes, formed a vast corporation, the affiliated societies of which, in every state and province, and almost in every canton of the Christian world, lived in constant intercourse with each other and with their common head. In that age, intelligence was diffused, opinion directed, and fame bestowed, partly by those Benedictine convents, and partly by the great schools of France and Italy. The accession of Bernard to their order, followed, as it was, by the conquest of all his kindred, was an event well calculated to arrest the attention and to excite the curiosity of the dispensers of reputation in those times; nor was he really concealed at Clairvaux from the personal notice of some of the most eminent of their number.

William of Champeaux, the teacher of Abélard, had by this time become bishop of Châlons, and, in the vacancy of the diocese of Langres, had officiated at the consecration of the monastery of Clairvaux. He found in the abbot a Realist quite as zealous as himself, but incomparably his superior in range of thought and energy of speech; and when the bishop directed Bernard to preach in all the churches of the see of Châlons, the concourse, the delight, and the conversions of his hearers were such as to announce the appearance of another Chrysostom.

Seven hundred years had then rolled away since the Church had been admonished or comforted by the voice of any of her Fathers. They had disappeared; those venerable men who, amid the decay of all secular learning, had so long maintained

the empire, not of religion alone, but of eloquence also—of literature, of philosophy, and of criticism. As age after age passed on, the Church, no longer accustomed to listen to that profound discourse and to those heart-searching exhortations, had ceased to anticipate the revival of them. To the men of the twelfth century, the language of Bernard, at once so vehement and so pathetic, came, therefore, not only with all the power of truth, but with all the force of novelty. It seemed to them as if Augustine had once more risen up to resume his ancient and undisputed sovereignty. They regarded their new apostle as one to whom such abundant disclosures had been made by the Father of lights, as rendered himself a kind of living revelation. They venerated him as a saint, whose mental vision, unclouded by the dark veil of sense, ranged over all the awful realities of our present and our future existence. They believed that the faith by which he had overcome the world, as the foe of his own mental purity, was of power to overcome it, also, as the inveterate enemy of the everlasting Gospel. And bowing down (as our race will ever bow down) before a mind which, in an absolute servitude to the Divine will, has regained and rejoices in its own native freedom, they exalted him to a moral dominion which, at the culminating point of his own greatness, either Julius or Charlemagne might have contemplated with envy.

It was for these reasons, or for reasons such as these, that the Christian world referred to the arbitration of Bernard the rival pretensions of Innocent II. and of Anaclet II., each of whom was claiming the apostolic throne on the death of Honorius in 1130. Anaclet retained possession of Rome and of the other chief Italian cities. He had secured the support of Roger, the Norman duke of Sicily, by the double promise of exchanging his ducal coronet for a royal crown, and of bestowing on him the dignity of Patrician of Rome. In Northern Italy, and especially in Milan, Conrad, of the house of Hohenstauffen, a pretender to the empire, had numerous and active partisans, who accepted or courted the alliance of Anaclet; and the ever-ready sympathy of the powerful duke and cities of Aquitaine with the free Italian republics, extended the interest of Anaclet throughout the whole of the south of France.

It was in the north of that country that Innocent sought

for spiritual subjects and for defenders. But Louis le Gros would neither take up arms in his support, nor undertake to determine whether he was, indeed, the lawful successor of St. Peter. For the decision of that arduous question, he summoned a national synod to assemble at Etampes, and himself met there in person the northern bishops, and all the greater abbots of the north. There, also, by the express command or invitation of the king, appeared the Abbot of Clairvaux. To him the assembly, with one voice, referred the preliminary investigation of this great controversy, as, with one voice, they afterward assented to his judgment that Innocent was the true pope, and the lawful head upon earth of the Church of Christ. Louis, acquiescing in this sentence, immediately placed his kingdom under the obedience of Innocent, and Bernard became the patron of his cause in all the other states of Europe.

He enforced it successfully on the kings of England, Scotland, Arragon, and Jerusalem, in letters conceived (to judge of them collectively from a single specimen) in a tone as authoritative as had ever been assumed at the palace of the Lateran. To Lothaire, the German emperor elect, Bernard addressed himself in person in Liege. But Lothaire refused to hear the voice of the charmer, charmed he never so wisely, unless the Pope would reward his adhesion by renouncing the long-disputed papal title to investiture; and to such a sacrifice all the confederate powers of earth and hell could not have tempted or terrified the inexorable abbot. Yet defeat did not seem to be among the possibilities of his existence. Intelligence of the union between the partisans of Conrad and the followers of Anaclet arrived in time to induce Lothaire to waive this claim, and to join with Innocent in a common hostility against their common enemies.

In William, duke of Aquitaine, Bernard next encountered a still more refractory antagonist than Lothaire. The chroniclers of the age employ their darkest colors in their portrait of the duke. The least of the vices of which they accuse him is the habit of eating habitually, for his own share, as much as would have kept eight stout yeomen in health. His pastimes were still more offensive; for, if we will believe his accusers, he was accustomed to compel his vassals to fight like gladiators for his amusement. This Gargantua had, however,

it seems, a heart in his bosom which once and again melted under the burning eloquence of Bernard, but which as often resumed its cold rigidity when that genial influence was withdrawn. At length (so runs the legend) the saint, having pronounced the awful words of consecration in a church in which William was worshiping, descended the steps of the altar, his whole countenance glowing as with a radiant flame, and his uplifted hand sustaining the sacred elements as, approaching the obdurate duke, he thus addressed him: "Long have I entreated, and thou hast set at naught my entreaties. Many of the servants of God have joined their prayers to mine, and thou hast despised their prayers. Behold, now, the very Son of the Virgin—him whom thou persecutest—the supreme head and lord of the Church—the judge at whose name every knee in earth, in heaven, and in hell must bow! The soul which now animates thee awaits the sentence of that great Judge, the avenger of guilt. Wilt thou despise Him also, and scorn the master as thou hast scorned his servants?"

Falling on his face (proceeds the chronicle) as he listened to this fearful apostrophe, the duke uttered appalling cries of agony, and, on regaining his self-command, not only tendered his homage to Innocent, but, divesting himself of all his dominions, honors, and estates in favor of his daughter Eleonora, the destined wife of Louis VII., abandoned the world itself, and in his thirty-eighth year retired to some place of religious seclusion, where history loses all farther trace of him.

I do not pause to winnow the truth from the monkish ornaments which disfigure this narrative. It best illustrates as it stands, if not the actual occurrences of the times, yet at least the estimation in which Bernard was held by his contemporaries. We know, from the incomparably more authentic information of his letters, how they received and seconded his labors in the same cause both in the German and the Italian courts.

From them we learn that, under his influence and by his persuasion, peace was established between Pisa and Genoa, and their respective allies in Lombardy; a peace which not only brought to an end a long and cruel war, but which opened a passage into Italy to Lothaire, who, with Innocent in his camp, was advancing to the mountains. When he crossed

them, no enemy remained to the north of the Apennines to oppose his progress, for Conrad of Hohenstauffen and his Milanese supporters were no longer able to derive either aid or shelter from the belligerents who had sheathed their swords at the voice of Bernard. Lothaire therefore advanced to Rome with Innocent, and there received from his hands the papal unction and the imperial crown. He did not, however, dispossess Anaclet either of the church of St. Peter or of the castle of St. Angelo, but, returning to Germany, left the rival popes to contend with each other by spiritual weapons.

Of such arms Bernard was an absolute master; and, at a council holden at Pisa, he successfully employed in the service, and as the representative of Innocent, all the eloquence for which he was renowned, and all the authority which he had acquired by the pacification of Lombardy. The synod, at his instance, solemnly excommunicated Anaclet and his supporters.

Anselm, the archbishop of Milan, was one of the most considerable of that number; and to Milan, therefore, Bernard proceeded to enforce the sentence against him. All the resources of hyperbole are exhausted by the chroniclers in their attempt to describe and celebrate his reception in the city of Ambrose. As in the case of that illustrious father, the magistrates and clergy, followed by a countless multitude of the citizens, thronged the approaches to his residence, resolved to place him by force, if necessary, on the archiepiscopal throne. Never was such advancement so ingeniously avoided. The enthusiastic crowd was quieted and dispersed by his assurance that, on the morrow, he would mount his horse, and that, if the animal should remain within the city walls, he would accept the proffered mitre, but if it should pass them, he should regard himself as free from any such obligation. The returning day found the saint in the saddle, and galloping with his utmost speed through the gates of Milan. A gleam of merriment, perhaps, for once lighted up those contemplative features; and, ere long, his horse had added to this good service by carrying him from the tumults of Italy to the tranquillity of Clairvaux.

His repose, however, was but brief. Returning to Germany, he induced Lothaire to pass the Alps again at the head

of a force destined for the conquest of Sicily and for the overthrow of Anaclet. As the emperor drew near to Rome, the indefatigable Bernard appeared once more to guide and to encourage him. But the expedition was not successful. The Sicilian duke, indeed, sustained a defeat near Salerno, but not long after Lothaire himself died. In the succeeding year he was followed to the grave by Anaclet, by whose cardinals, however, was chosen another pope, who assumed the name of Victor. But with the pretensions, Victor did not inherit the perseverance of his predecessor. He thought the contest either hopeless or sinful, or both; and, presenting himself to Bernard, he placed in his hands the abdication of his title to the Papacy. The schism thus reached its close, and, at the end of anxieties and labors which had been protracted through seven succeeding years, the abbot returned to his monastery with no worldly or ecclesiastical wealth or dignities, but yet in the consciousness of having rendered to mankind a service which both he and they regarded as inestimable, and which they repaid by such veneration and by so cordial an applause as had never greeted the most triumphant of military conquerors.

The repose thus laboriously purchased was, however, to be short-lived. Innocent did not long survive his rival Anaclet, and before March, 1145, three popes had in succession filled the Papal throne. It was then transferred, by the unanimous voices of the College of Cardinals, to Bernard of Pisa, a disciple of Bernard of Clairvaux, once a brother of that monastery, where he had been so lightly esteemed, that his appointed office had been to light and feed the fires at which the other monks were to warm themselves when chilled by their nocturnal devotions. But, on his election, he assumed the name of Eugenius, and quickly proved that the mantle of Urban II. had descended upon him.

Intelligence of the capture of Edessa by the Moslem had reached and alarmed Europe almost at the moment of the election of Eugenius. Bernard called upon the Pope to unsheathe each of the two swords of Peter. Eugenius accordingly invoked the aid of the then eldest son of the Church, Louis le Jeune. To him the appeal was happily timed and welcome. The destruction of many of his own subjects in an

attack on the city of Vitry hung heavily on his conscience, and the crime, as he judged, could not be so effectually expiated as by the slaughter of a hundred-fold the same number of Saracens at Edessa. Thus both the spiritual and the temporal sovereigns of Bernard joined in addressing to him a commission, or rather a command, to preach a new crusade to the faithful in France and Germany.

Though his body was worn by fatigue, wasted by sickness, and emaciated by fasts and self-discipline, the soul of Bernard rose and expanded itself to the height of this sacred summons. In Easter of the year 1146, his attenuated figure, but still beaming eye, were conspicuous in the front of a lofty stage, erected on the slope of one of those hills which environ the town and plain of Vezelay. There sat the king and his queen Eleonora, and by them stood the great vassals, and prelates, and barons of his realm, with a throng of inferior knights and seigneurs, while in the front of this royal assemblage was gathered a mighty host, crowding the hill sides and the plain below, and all awaiting in breathless silence the voice of the renowned orator who stood before them.

There is, I believe, no extant record of his speech, though never before or since was eloquence rewarded by so signal a triumph. He appears to have given a rhetorical impersonation to the Holy City, and in her name to have been calling on his hearers to rescue her from the grasp of the followers of the False Prophet, when he was interrupted by a shout arising simultaneously from all the countless ranks of that agitated multitude, thousands and tens of thousands of voices raising, repeating, and again and again re-echoing the exclamation, "It is the will of God!" A single soul seemed to have possessed the whole of that innumerable company. Casting himself at the feet of the speaker, the king first received from his hands the cross, which irrevocably bound him who bore it to engage in person in that perilous adventure. Beside her lord, and devoted to the same high enterprise, knelt Eleonora. The princes, bishops, barons, knights, and seigneurs followed her example, and then the commons, wave after wave pressing forward, in interminable succession, to the immediate presence of Bernard, continued till nightfall, and through the whole of the succeeding day, to besiege him with importunate

demands for crosses, until, after exhausting every other resource, he had torn his own Benedictine habit into shreds, to serve as badges for this noble army of martyrs.

The great master of the spell, himself inflamed by the enthusiasm which he thus excited, hurrying from province to province and from city to city, every where demanded new champions of the Holy Sepulchre. At Chartres, another mighty congregation listened and obeyed, but not without a response, which, little as it was either foreseen or welcomed by Bernard, seems not to have been altogether unreasonable. They demanded that, exchanging his cowl and tunic for a coat of mail, he should, in his own person, conduct them to the warfare against the infidel. He still retained, however, too much sobriety for this. Perhaps he had already awakened to the truth that, among his half-maddened associates, there were not a few with whom it would ill suit him to contract so intimate a personal alliance.

Of that number was Rodolph, a German monk, who had taken on himself the task of arousing the zeal of his fellow-countrymen. But Rodolph was one of those men who, when they have once yoked themselves to any principle, are dragged helplessly along by it into the most extravagant of its seeming consequences. It was meritorious to slay the enemies of the Cross in Palestine; could it then be right or allowable to spare them in Germany? Finding the question unanswerable, Rodolph, from the sources to the mouth of the Rhine, brought his hearers to prepare themselves for the destruction of the Saracens by the massacre of the Jews.

I doubt whether the title of any of the saints whom the Church of Rome has raised to her honors of canonization would be justified by any proofs of his having cultivated the virtue of toleration, excepting only in the single case of Bernard of Clairvaux. It was with a noble inconsistency that he dissented from the inexorable logic of Rodolph; for, while himself sounding the trumpet which marshaled the Christian nations of Europe to the slaughter of the unbelieving inhabitants of Asia, he addressed to the German people an encyclical epistle, commending the hereditary enemies of the Gospel to their kindness and forbearance, in terms as eloquent as could have been dictated by Jeremy Taylor, and as wise as could have

been suggested by John Locke, if those apostles of toleration had then been living.

Nor was it by his letters only that Bernard taught the Germans to be at once thus merciful and merciless. During many weeks or months he traversed their land in person, attended by some of the monks of his order, who have left us a daily journal of that miraculous peregrination; for every step was a miracle. So numerous and so stupendous were the prodigies which he wrought in stimulating his proselytes to march to the holy war, that death and disease may be said to have retired, like vanquished foes, at his presence. The authors of these narratives, however, select, as the miracle of miracles, the conversion of the Emperor Conrad III., and his assumption of the Cross. It may seem presumptuous to dispute their judgment on such a question; but to myself the most prodigious of all the prodigies they record, and certainly the best attested, appears to be the fact that, though he was totally ignorant of German, and always preached in French, yet such was the magic of Bernard's discourses, even when utterly incomprehensible, that, from Constance to Cologne, the Teutonic gravity was every where rapt at his bidding into an immutable resolution to march from the banks of the Rhine to those of the Jordan. I have no doubt of the general good faith with which all these marvels are told; and these Itinera Germanica seem to me not destitute of a real and appropriate value. They curiously illustrate the strange extent to which vast masses of men, under the sympathetic influence of any profound emotion, may become utterly incapable of the natural use, not only of their reasonable understandings, but even of their bodily senses.

Leaving his German proselytes to prepare for their long pilgrimage to the East, Bernard returned to France to expedite the departure of that mighty armament, and then retired to the devout and placid solitude of Clairvaux. There, in due time, he learned that the war which he had so exultingly provoked had swept away at least two hundred thousand of his fellow-countrymen and fellow-Christians, the helpless victims of woes as fearful as they were profitless and inglorious. There is still living in the person of the Abbé de Ratisbonne, his latest biographer, at least one devout and zealous apologist of the

author of this lamentable carnage; and from the abbé we may learn, that, in the retrospect of this great catastrophe, Bernard found nothing to disturb the tranquillity of his cell and of his conscience. Adopting what seems to me at once the more probable and the more charitable opinion, I rather conclude that the review of the calamities which his ill-directed zeal had brought on his country and on mankind was the immediate cause which brought his life to an unexpected, though not an early close, not long after the return of Louis with the four fragments of the noblest army which had ever followed the Oriflamme of St. Denys, under the guidance of a king of France.

The preceding account of the mighty influence exercised by Bernard over some of the great movements of his age will not have been misplaced if (as I trust) it shall contribute to render intelligible to you the still more powerful control which he exercised over its opinions. To estimate aright the extent of that authority, it would indeed be requisite to refer to the collection of his letters, almost all of which relate to the questions, political or religious, by which his generation was chiefly agitated. They show that he was employed day by day, continually, in adjusting the disputes of princes, in considering the complaints of their subjects, in redressing the grievances of the oppressed, in arbitrating between litigants, in founding monasteries and bishoprics, in providing for the wants of all the churches, and, above all, in the decision of controverted points of doctrine. "Aiunt non vos esse Papam" (he says to Pope Eugenius), "sed me, et undique ad me confluunt qui habent negotia." And in this character of a substituted or auxiliary pontiff, elected by general acclamation, we find him ruling the deliberations and guiding the decisions of almost every ecclesiastical synod of his times, but of none with results more remarkable than those which followed the acts of the council holden in the year 1121, in the city and church of Sens.

Rallying his strength and spirits after the great calamity of his life, Abélard had resumed his chair in the University of Paris, or rather amid the students whom his reputation still drew round him, on the mount and in the gardens sacred to Ste. Geneviéve, the patroness of that city. His speculations on the doctrine of the Holy Trinity had been communicated, not merely to his pupils, but to the world at large, in a book

which awakened the alarms and stimulated the zeal of the orthodox Abbot of Clairvaux. If Bernard be accurate, it reproduced and combined the heresies of Arius, of Pelagius, and of Nestorius. But he was too good and wise a man to make any public assault upon the writer of it, until he had first endeavored, by a private and friendly remonstrance, to convince him of his errors, and to induce him to retract them. The vulgar arts of vulgar controversialists were beneath the genius, and alien from the spirit of St. Bernard; and winning by his kindness an opponent whom he might probably have exasperated by less gentle methods, he induced Abélard at least to promise a retraction. The promise, however, was not fulfilled. On the contrary, Abélard, reverting to his former habits of thought, published other books of the same general tendency, and among them the treatise called "Sic et Non," to which I have already adverted.

Bernard then broke silence, and, in a letter to Pope Innocent II., he denounced, not merely the doctrines of Abélard, but the whole scheme and system of investigation which had conducted him to them, invoking the authority of the Pope to suppress so great a scandal. Abélard answered by equally loud protestations of his innocence and orthodoxy, and appealed to a council then about to be holden in the city of Sens.

Never had tidings of an approaching tournament excited more universal interest in France than was kindled by the intelligence of the passage at arms, which was accordingly appointed to take place between the two great doctors and rhetoricians of that age. Bernard, however, was at first reluctant to engage in the contemplated debate. He answered the summons of the Archbishop of Sens in the words of David: "I am but a youth, and he a man of war from his youth." But he was not permitted so to withdraw from the conflict with the Goliath of Rationalism. It was, he says, with tears in his eyes, that he at length consented to meet this terrible adversary; but it was with faith and hope in his heart. He strengthened himself by revolving the words of Christ, "Take no thought how or what ye shall speak, for it shall be given you in that same hour what ye shall speak." And again borrowing the language of David, he comforted himself by the words, "The Lord is my strength; I will not fear what man can do unto

me." The event showed that any other preparations for this dreaded encounter would have been superfluous.

In the great church of Sens appeared all the Fathers of the council, and there also appeared Louis VII. himself, with the chief dignitaries of his realm, ecclesiastical and secular, all animated with the same curiosity to listen to the anticipated debate between the two master spirits of the age.

It was opened by Bernard. He produced the writings of Abélard, enumerated his imputed errors, and demanded that he should either vindicate or retract them. Expectation was raised to the highest pitch, when, to the surprise and disappointment of the whole assembly, the eloquent Abélard remained inflexibly silent. He was either unable or unwilling to utter a single word in his own defense, and at length precipitately quitted the synod, after interposing an appeal to the Pope against their decision. They rejected his appeal, and unanimously condemned his doctrines as heretical. Once again the now victorious Bernard borrowed from David the language in which to express the feelings with which he contemplated the triumphant result of this much-dreaded controversy. "I myself," he exclaimed, "have seen the ungodly in great power, and flourishing like the green bay-tree. I went by, and, lo! he was gone; I sought him, and his place was nowhere to be found." The proceedings of the Council of Sens were then transmitted to Rome, and the Pope, confirming their decision, sentenced Abélard to an eternal silence.

The defeated philosopher did not prolong the struggle. His spirit seems to have been broken by affliction, and his body worn by labor and excitement. He sought for tranquillity by publishing what has been usually called his retractation, though it would perhaps, with greater reason, be called his apology for his writings. But neither Bernard, nor any of the theologians of the times, pressed hardly on their fallen foe. He was a Sampson Agonistes, terrible even in defeat, and his conquerors wisely acquiesced in his retractation, such as it was, and sought by kindness to restore him to the bosom of the Church. Within two years from the close of this dispute, he was summoned from the world in which he had accumulated so much knowledge, but had attained to so little happiness. Before his death, the friendship which had once subsisted between Ber-

nard and himself was re-established. Nor can we doubt that, in the contemplation of that great event, both the Realist and the Nominalist derived comfort from the belief that, in passing from the world of shadows into the regions of light, they should both find a far more perfect solution of those deep mysteries than they had been able to attain either in the cloisters of Clairvaux or in the schools of Paris.

"To speak it plainly," says M. Guizot, "Protestantism is nothing else than the insurrection of the human mind against the spiritual despotism of the sacerdotal order." To the reclamations of such insurgents in the twelfth century, the Church of Rome opposed not merely the sacred text as interpreted by primæval and unbroken traditions, but also another authority, less liable than these to be perverted or misunderstood, yet (as she maintained) of an origin not less divine. The Deity himself (said the Realist and orthodox doctors of that age) has engraven on the souls of all the children of Adam many legible and most significant characters. These inscriptions, though coeval in each man with his birth, may be obscured by carnality or worldliness, as, on the other hand, they may be rendered more luminous and intelligible by self-discipline, and by habits of devotion and of virtue. But, whether darkened or illuminated, they must still remain indelible in every human bosom, at once bearing witness to the truths which it is the office of the Church to perpetuate, and rendering the acceptance of them not so much a duty as a law and a necessity of our moral nature—a necessity which ceases, indeed, then, but only then, when the soul to which such truths are proclaimed, being blinded by its own pollutions, is effectually deprived of its spiritual discernment.

Such I believe to be an accurate summary of the doctrine of St. Bernard on this subject. But I would rather present it to you in his own words: "There is," he says, "nothing in the Divine intellect which is not eternal and immutable. Thus those *principia rerum*, which Plato calls ideas, are not mere mental images. Possessing the attributes of eternity and immutability, they must be realities; nor does any thing exist, whatever may be the mode of its existence, except by a union to them."

"A spirit, whose origin and abode is celestial, has ever be-

fore her eyes the mirror in which she contemplates all things. She beholds the Divine Logos; and *in* the Logos the whole of the creation which the Logos has called into existence. So that she does not draw her knowledge of the Creator from the creation; nor, when she would attain to the knowledge of created things, is it necessary for her to descend among them; for she beholds them all in a position where they exist in a manner more excellent than any in which they do or can exist in themselves."

"The mysteries of our faith do not depend on human reason, but rest on the immutable foundations of truth. What! ask me to doubt of that which of all things is the most absolutely true? Faith is not an opinion formed in us by our laborious studies. It is an interior conviction, to which conscience bears its testimony. It is the basis of our reasonings, not their conclusion. It is no inference from our investigations, but is itself an absolute certainty."

If to this teaching of St. Bernard any one had answered that the innate ideas, which reflect in the human soul, as in a mirror, the eternal and immutable realities of the Divine intellect (and especially such of those ideas as relate to our faith as Christians), are, after all, but so many individual revelations, which can be seen only by each man for himself, and which none can exhibit to his neighbor, his answer, as I infer from his habitual tone of thought, would have been, that the substantial coincidence or identity of such ideas in all regenerate men is not without a clear and a conclusive attestation. He would have found such an attestation in that unity of sentiment and of belief by which (as he insisted) the several members of the Catholic Church are held together as one living body, animated by one all-informing soul—a union, the sacred harmony of which results from the concord of the innumerable strings vibrating in the spirits of each and of all of those whom it embraces.

I am very conscious that my feet are but too liable to stumble on such mountain tops as I am treading, and that their atmosphere is too fine for my respiration. Nevertheless, I must request you to accompany me a few steps farther on these giddy heights.

I have already said that Bernard was prepared by maternal

tenderness for that philosophy—the philosophy of Love—which he adopted in his more mature years. To make that general statement intelligible, I must touch, though most briefly, on topics the sanctity of which I might but too probably violate if I presumed to dwell on them at any greater length. I would observe, then, that he found a Summa Theologiæ in the sublime declaration that "the pure in heart shall see God." He judged that, when so admitted to the sight of Him who is at once Light and Love, the pure in heart would derive from that beatific vision such an insight into all truth, and so ardent a thirst for perfect conformity to the Divine image, that casting aside, while still denizens of earth, the crutches of human investigation and the thraldom of human passions, they would soar, as on the wings of eagles, into those celestial regions where knowledge is intuitive, and love and wisdom are the very elements of life. Kindling with some such conceptions as these, St. Bernard selected the Book of Canticles as the theme of his most celebrated, though (I suppose) his least intelligible work.

To us who know man only in his social state, and have no personal experience of him in his cloistered condition, the visions which peopled the brain of the great St. Bernard may perhaps appear but as so many phantasms, or as air-bubbles, reflecting gorgeous colors for the amusement of the child who has inflated them. I will not undertake to assert their substantial value, but I am well convinced that even the day-dreams of such a man are entitled to our reverence and tenderness, and that some knowledge of them is essential to a correct understanding of the growth and progress of philosophical literature in France.

An anchorite is almost of necessity a Mystic, that is, one who habitually infers the objective from the subjective; or, in plainer words, one who assumes the existence of realities without him, corresponding with the most cherished of the visionary thoughts within him. The mind, cut off from the common duties, interests, and affections of life, wedded to an emaciated, and enervated, and therefore irritable body, and continually driven inward for occupation, creates for itself substitutes for the objects among which others live, and readily glides into the belief that its own figments are so many innate

ideas—types of actual entities—creatures of a divine original, and of an eternal and immutable existence. To the prisoner of the convent these deliriums may be as innocuous as they are pleasant; to the denizens of the wide world they are neither the one nor the other.

St. Bernard was pre-eminently a Mystic; nor does the term convey any reproach. It is, indeed, ascribed to him, and to the other ascetic heroes and heroines of his age, in the most recent panegyrics of the most eloquent and learned of existing Roman Catholic biographers. In what sense that eulogium is bestowed and is to be understood, may be best explained by referring to the writings in which the most renowned of all his monastic contemporaries has developed the mysteries of those transcendental doctrines, so far, at least, as they can be intelligibly revealed in the language in use among uninspired men.

In the age of Bernard there was living at the monastery of Boppart, near Bingen, a lady who has since been immortalized under the name of Sainte Hildegarde. His interpretation of the promise that "the pure in heart shall see God" is supposed by the hagiologists to have received in her its most complete accomplishment. During his mission to raise champions of the Cross in Germany, he visited her at her convent, and they ever afterward lived in the habitual interchange of letters with each other. The subjects, and the nature of that correspondence, may be learned from his published epistles, or from the *Acta Sanctorum* of the Bollandists, or from any of the many histories of her life which her admirers have given to the world; or, better still, from the books in which she communicated to others the awful disclosures from on high which she believed to have been made to herself.

From these sources it is to be collected that, in the third year of her life, Hildegarde first became conscious of a brilliant light, which, being at once material and spiritual, radiated through her body until it had reached and illuminated her soul. These beams, which, of course, were of heavenly origin, reappeared to her at frequent intervals during the next fourscore years. And surpassingly wonderful was their influence. They imparted to her, as she devoutly believed, a perfect comprehension of all the Holy Scriptures, rendering transparent to

her the mysteries which they darkly intimate to others. Discerning in the mirror of her own mind many of the eternal and immutable ideas of the Divine intellect, she was enabled to perceive what are the corresponding forms and what the analogous laws by which this mundane system is pervaded and governed. The primitive matter of which all things material are composed was laid bare to her in its elementary state. The soul of man, becoming the object of her spiritualized sense, was discovered to be "a celestial harmony." The awful attributes and ineffable nature of the Blessed Virgin became to Hildegarde the subject of immediate consciousness. Ascending to the eternal and perennial fountains of life, she surveyed the operations of the creative energy. Descending to this lower world, she beheld unrolled before her the future history and the ultimate destination of our race, and especially the reign of anti-Christ and the ultimate triumph of the Church, which is at once Catholic and Roman.

If Ste. Hildegarde were now living among us, who would be so cruel as to disturb, who so idle as to listen to her hallucinations? But mental nosology was a science neither understood nor studied in the twelfth century. At that time, Bernard, the greatest of the canonized doctors whom the Church of Rome can claim as peculiarly her own (for the Fathers of the first five centuries belong to the Church Universal), hailed and revered the revelations of the prophetess as if she had been another Miriam. "They are not," he said, "the work of man, nor will any man be able to understand them whose soul love has not restored to the Divine image and likeness." "They who ascribe these visions to demoniacal suggestions prove that they have no deep acquaintance with heavenly contemplations."

Nor was this the judgment of Bernard alone. During no less than three successive months, the books of Hildegarde engaged the attention of a synod convened by Eugenius at Treves. The Fathers assembled there concurred in the opinions of the Abbot of Clairvaux; and Eugenius, in an autograph letter, exhorted her "diligently to cherish in her heart the grace which God had lavished upon her, but never to divulge, without extreme circumspection, what that Divine grace might prompt her to say." Nor was this all. No less than three other infallible Popes, Anastasius IV., Adrian IV.. and Alex-

ander III., who succeeded Eugenius on the Papal throne, each in his turn gave his sanction to the reveries of Ste. Hildegarde.

If these legends should appear to you too puerile for any serious notice, or too remote from our present subject to be noticed on this occasion, I answer that the mysticism which they illustrate was really pregnant with the most important results, both speculative and practical. In speculation, it was at once the fruit and the root of Bernard's doctrine of Realism. In practice, it was the too prolific germ of those relentless persecutions which have left their sanguinary stain upon almost every page of the annals of the Church of Rome.

Assume that the state, as the minister of the Church, has power enough to terrify into silence and submission all dissenters from the established creed, and then three steps only are wanting to perfect the theory of persecution. The first, that the dominant Church is infallibly right; the second, that the imputed error is fatal to the souls of those who hold it; the third, that the heretic dissents, not from weakness or error of judgment, but from depravity of will. Now Realism, and Mysticism its offspring, supply each of those steps.

For if, as Bernard taught, faith is the basis, not the conclusion of our reasonings; and if that basis be itself laid in legible characters, engraven indelibly by the Creator on the souls of his rational creature man, then every one who can read those characters is infallible, so far, at least, as they accompany and conduct him. And if, on comparing those characters with the imputed heresy, he finds that the collision between the two is direct, and that it takes place in the highest regions of these divinely-inspired ideas, then the fatal tendency of it is demonstrated. And, inasmuch as the dissenter can be prevented from discerning in his own mind the same sacred indications of truth only by that blindness which is the result and the punishment of his carnal or worldly pollutions, his dissent is not error, but guilt. The remedy for it is not argument, but the stake. Thus the acceptance by popes and doctors of the incoherent rhapsodies of an illiterate old woman as evidences of so many innate ideas reflecting the eternal verities of the Divine intellect, closed the door to all reasoning with those who rejected their creed, or any part of it. The believers and the dissenters had no common premises on which to argue. To

the imputed heretics, the reflections on the mental mirror of Ste. Hildegarde were but as so many delirious scrawls on the prison walls of a lunatic. To her patrons they were as authoritative as the handwriting on the palace wall of Belshazzar.

Bernard himself, it is true, though a Realist, and therefore a Mystic, was not a persecutor. His too successful efforts for the destruction of the followers of the False Prophet, whatever may be the censure due to him on account of them, had nothing in common with the guilt of his brethren of Citeaux, of St. Dominic, and of Innocent III., in their crusade against the Albigenses. Had he lived till then, I fear that his principles must have conducted him to a full participation in those crimes. But he was a wise and a holy man, whose hourly prayer not to be "led into temptation" was not offered in vain.

I can not claim such an acquaintance with him, as he is exhibited in his own books, as to be able to offer any general criticism upon them. But I know enough of them to understand why, in France, the land of eloquence, so high, if not indeed the very highest, place has been assigned to the eloquence of Bernard. The opinion, or, perhaps, I should rather say the conjecture, which I venture to hazard on his writings is, that they are such as could proceed only from a man whose whole existence had become one prolonged alternation of study and of devotion, who never ceased to worship except to write, and never laid down his pen except to pray. Whenever he descends from the mountain to speak with men, the Shekinah is visible on his countenance. It is, I believe, for this reason chiefly, though not exclusively, that every section of the Universal Church has ever rendered him the homage which usually each reserves for its own heroical men, and for them alone. The testimonies of Protestants in his favor might be drawn from all the countless divisions and subdivisions of the Protestant world. It is enough to refer to the two greatest of the leaders of the "insurrection against the spiritual despotism of the sacerdotal order." Luther says of Bernard that "omnes doctores vincit;" and Calvin, that "ita loquitur ut veritas ipsa loqui videatur."

No similar veneration has ever waited on the name and memory of Abélard. The sentence which has been passed upon him by posterity may have been severe, but it is now irreversible.

For some passages of his life no defense is possible, nor shall I make myself the apologist for much of what he has written. But to the charge that he was the founder of the Rationalistic system in modern Europe, it may, I think, be well answered, that the reproach is too indefinite to convey any precise meaning, or to admit of any distinct refutation.

A Rationalist is usually censured as one who gratifies the pride of our common nature by subjecting all doctrines, those of revelation not excepted, to the scrutiny and judgment of his understanding; and by making his own reason the standard of truth, or, at least, of his own appreciation of truth. That such pride mingles with most of our thoughts, and therefore with the thoughts of those who are usually condemned as Rationalists, no one will probably deny. But the same rebuke may, I think, be addressed with equal, or perhaps with greater, force to most of their antagonists. The exultation of Bernard and his adherents, for example, in contemplating themselves as so many living depositaries of the reflected ideas of the Creator, was probably more haughty, as it was certainly more unfounded, than the exultation of Abélard and his disciples in contemplating themselves as the depositaries of a power, by the right use of which divine truth might be interpreted or discovered. There is a pride of belief as well as a pride of investigation, and I know not which of the two passions is the more unruly.

Neither can I perceive that Abélard erred in thinking that, by the constitution of our nature, each man's reason is, and must be, to himself the ultimate judge of truth. That such is the province of our reason is, indeed, most impressively, though unconsciously, admitted in every attempt to disprove it. If you encounter such Rationalism as this by argument, you are appealing to the very reason which it is the object of your argument to silence and dethrone. The stake is the only consistent and practical refutation of the imputed error.

But, on the other hand, that Rationalism which conducted Abélard, as it has conducted so many others, to the conclusion that human reason is not merely the *judge* of truth, but is also the one *guide* to truth, seems to me not only a dangerous, but a fatal mistake.

His text, as we have seen, was "Dubitando ad inquisitio-

nem venimus, inquirendo veritatem percipimus." I dissent from each of those positions.

First. "Dubitando ad inquisitionem venimus" is an apophthegm, in deference to which many of the greatest intellects in France, as I shall hereafter have occasion to show, have brought their minds into what is called "a state of provisional doubt;" and great is the glory which they have won by this achievement. To myself no boast appears more unjust or unmeaning.

Faith, not doubt, is the indispensable condition and the law of our existence. Life begins with credulity; and, to the close of life, an implicit trust in the opinions of others is the lot, not merely of the unlearned many, but, to a very great extent, of the most learned among the instructed few. The wisest of the children of men have ever held, and must ever hold, the vast majority of their most important convictions, not on inquiry, but on trust.

The true doctrine I take to be rather, "Credendo ad inquisitionem venimus." You must take a multitude of things for granted if you would know any thing to the purpose. The child assumes the knowledge and veracity of his parents. The pupil reposes the same credit in his preceptor. The philosopher relies on the reports of the experimentalist, and the statesman on the calculations of the statician. Nay, the Divine teacher of all truth among men—He who was Himself the impersonation of wisdom—taught that obedience is the path to knowledge; and that we must do the will of our Maker, in order to know of the doctrine; or, in other words, that we must not provisionally question, but provisionally assume, the authority of our best accessible instructor, in order that we may subsequently verify or correct that assumption by the experience to which it will conduct us.

Neither can I subscribe to the "Inquirendo veritatem percipimus" without large qualifications. Inquiry conducts us, not so much to truth itself as to the best teachers of truth. Life is not long enough, the human mind is not capacious enough, to enable any man to build up a complete system of knowledge and belief by his own investigations. The Author of our being has not left his creature man, with his feeble powers and his short span of life, to grope out, by his own

isolated studies, those truths which it most concerns him to reach and to hold firmly. It is not by our own researches that we attain to truth in what concerns our health of body, or our individual or our social interests. In those matters our inquiries do but conduct us to the best attainable guides, and place us under their direction. The case is not essentially otherwise when we are investigating the great problems of our actual condition in this life, and of our prospects beyond it.

I have thus ventured, and certainly in no forgetfulness of the seeming presumption of the attempt, to indicate what I suppose to be the errors of the Realist and Mystic Bernard on the one hand, and of the Nominalist and Rationalistic Abélard on the other. I have done so because, in the metaphysical style of the modern French language, they were the earliest "expressions," in their native country, of the two great antagonistic principles by which, from their days to our own, it has been distracted. These are the principle of faith and the principle of reason. Names and forms have, indeed, passed away. Realism and Nominalism are no longer the inscriptions on the banners of the contending hosts. But that abstruse metaphysical debate, however hidden under new modes of speech, still lies at the root of this immortal controversy. The innate ideas of Des Cartes, the mysterious doctrines of Kant (so far as I have any information respecting them), and Mr. Coleridge's much-cherished distinction of the pure reason and the practical understanding, were but so many republications of the Realism of St. Bernard. At the close of the incomparable essay with which M. Cousin has introduced his publication of the Ouvrages Inédits d'Abélard (to which I gladly acknowledge myself to be indebted for all that I know on the subject of his doctrines) occurs a passage which explains, with so much beauty and exactness, the permanent importance of the debate on which I have been dwelling, that I can not better terminate this lecture than by attempting to lay it before you in our own language, so far, at least, as it is in my power to find any equivalents in English for his refined and almost Platonic phraseology.

"A problem (says M. Cousin), which might seem scarcely worthy to be made the subject even of a philosophical revery,

gave birth to different metaphysical systems. Those systems agitated the schools, and, at first, the schools only. Ere long they passed from the province of metaphysics into that of religion, and from religion they advanced into the region of politics. Then, taking their place on the historical stage, they interposed in the events of the world, agitated councils, and afforded occupation to kings. William the Conqueror is summoned into the field by the English clergy against the Nominalist Roscelin, and Louis VII. becomes the president of the synod in which Bernard, the hero of the age, denounces the Conceptionist Abélard, himself the teacher of Arnaud of Brescia. All this is, however, but a prelude. Time runs its course. Conceptionism, which, during nearly two centuries, has cherished Nominalism in its bosom, at length sets its charge at liberty; and then this new consequence, or, rather, this renewed consequence of the same fundamental principle, finding the times more favorable, appears with a far different lustre, and excites tempests never experienced till then. Occam (a new Roscelin), by once more applying Nominalism to theology, and so to politics, checks the power of the Pope, engages a king and an emperor in his quarrel, and, sheltering himself against the lightnings of Rome under the wings of the imperial eagle, is able to say to the head of the empire, with no unbecoming pride, 'Tu me defende gladio; ego te defendam calamo.' Abandoned by the King of France, but aided by the Emperor of Germany, the indomitable Franciscan, escaping from the dungeon of Roger Bacon, dies in exile at Munich. But he has been a teacher at Paris—that prolific soil in which no seeds which have once been committed to it are ever permitted to perish. The University of Paris embraces the proscribed doctrine. Nominalism, triumphant, diffuses the spirit of independence. That new spirit gives birth to the Councils of Constance and of Basle, where appear the great Nominalists, Peter d'Ailly and John Gerson—those fathers of the Gallican Church—those sage Reformers, whose voices are unheeded, and who are, ere long, replaced by *that other Nominalist called Luther.* It were well, therefore, not to be so very facetious on the subject of metaphysics, for metaphysics embrace at once the original principles and the ultimate principles of all things."

March 15. 1853.

LECTURE XVIII.

ON THE POWER OF THE PEN IN FRANCE.

EMINENT as was the place of Gerbert, of Bernard, and of Abélard in the literature of France, yet, in their days, French literature was still unborn. Neither the theologians, nor the chroniclers, who plied their pens in the Benedictine monasteries, nor the Troubadours, who practiced their gay science in the Provençal courts of love, made use of that language which in our own days is vernacular in their native country. Latin in its various forms, classical, scholastic, colloquial, and rustic, was their only instrument of communication with their own or future ages; and, for this reason, neither the holy unction of the Abbot of Clairvaux, nor the philosophical acumen of his great rival, nor the songs or romances which once charmed the court of Toulouse, ever retained any permanent hold on the hearts or on the memories of the men of later times.

The earliest writers to whom that glory belongs are those who, having been present either as actors or as spectators at the great military achievements of their age and nation, recorded them in narratives in which the styles appropriate to chronicle, to history, and to memoirs are confounded, or, rather, are harmonized with each other. Of that class of writers, three only retain, and probably they alone deserve, at this day, the admiration which greeted them in their own—I refer to Joinville, to Froissart, and to Philippe de Comines.

It is not the least of the glories of the reign of St. Louis that it produced the first fruits of that abundant harvest of glory which was to be gathered in by writers, in his own native tongue, in each generation succeeding to his own. Our acknowledgment of the wealth and abundance of that harvest should be made with no niggard hand or grudging spirit; for if the extent to which the intellectual labors of any people are diffused and welcomed beyond the limits of their own territory and language is the best criterion of their excellence (and I

know of none less doubtful), we must concede to the great authors of France a pre-eminence above those of any other country in modern Europe. Be that, however, as it may, I at present refer to the influence which they have exercised in the remotest parts of the civilized world, as affording us some indication of the authority which they have possessed at home—some measure of that domestic power of the pen, on the right use or abuse of which so much of their good or evil fortunes, as a nation, has been dependent. To understand the workings of that power is to understand not merely the great writers of France, but the people, also, for whom they wrote.

In that country, as in every other, the authority of men of letters has always consisted in the exactness with which they have succeeded in reflecting in their books the better and more enduring aspects of the character of their nation. They must be the interpreters of the habitual state of mind of those for whom they write, or they must write in vain. They must give utterance to thoughts which their less gifted readers would have uttered if they could. They must bring into the light ideas which, when clothed by them in appropriate terms, others will recognize, or will suppose themselves to recognize, as so many conceptions which, in inchoate and immature forms, were already struggling for birth in their own minds. It is by means of such services, and of such illusions as these, that, in each generation, the foremost understandings make willing captives of the multitude, and, if they be true to their high calling, mold them into docile and obedient pupils. The action and reaction of the literature and of the national character of any people upon each other is the true subject of their moral and intellectual history.

It is especially so with regard to France. Nowhere else have books and men borne so intimate a relation to each other. Whoever has much studied their books must be of a sluggish imagination if he has not seen the land and its inhabitants with his mental eye even before he has actually visited them. Not only their dramatists, their novelists, and their memoir-writers, but their divines, philosophers, moralists, and historians, are ever drawing from the life. The Misanthrope, or the Memoirs of St. Simon, are not more absolutely French than the Essays of Montaigne or the Discourses of Massillon. Sternes

la Fleur is not so thoroughly a Frenchman as Montesquieu. From the literary works, grave and gay, of the French people, which lie in such profusion before us, we may perhaps, therefore, be able to infer something of the spirit of the land for which they were composed, and of the influence of that spirit on the authors of them.

First, then, every one who is at all conversant with the great writers of France will, I believe, be prompt to acknowledge their superiority to all other European writers, and especially to our own, in the art or the power of perspicuity. Compare, for example, the language of Montaigne, of Pascal, of Bossuet, or of Montesquieu, with the style of Hooker, or Milton, or Jeremy Taylor, or Clarendon. How limpid the flow, how clear and logical the sequences of the French—how involved, inverted, parenthetical, and obscure the stately march of the English composition. In the Ecclesiastical Polity, in the Areopagitica, in the Liberty of Prophesying, or in the History of the Rebellion, how few are the periods which fully convey their meaning, until they have been broken up by the student into their elementary sentences. In the Essays of Montaigne, or in the Provincial Letters, or in the Histoire des Variations, or in the Esprit des Lois, how laboriously must the reader search for so much as a single example of involution, inversion, or parenthesis? I express no opinion on the comparative excellence either of the two schools, or of their respective canons of criticism. I confine myself to the remark that, in this competition of the giants, the palm of habitually expressing the most profound thoughts in the most simple and intelligible forms of speech must be awarded, not to England, but to France.

And such as are the giants in either host, such also, in their measure, are the innumerable dwarfs in each. In later times, indeed, the common herd of writers in both nations have affected a sort of *chiaro-scuro*—the convenient shelter for meagreness of thought and poverty of invention. For this degeneracy we however are, I fear, far more deeply responsible than our neighbors. Darkened as the literary language of France has so often been by the fumes of undigested metaphysics, there is no author, and scarcely any reader there, who would not stand aghast at the introduction into his native tongue of

that inorganic language which even Samuel Taylor Coleridge himself tumbled out in some of his more elaborate speculations, and with which the imitators of that great man are at this day distorting and Germanizing the speech of our progenitors.

Now, as we are to infer from the style peculiar to France some of the distinguishing characteristics of the national mind, what are those distinctive qualities of the French people which have prescribed clearness and precision as the first and fundamental law of all good or tolerable composition among them? I answer, first, that in that law we have a proof of the genial, sympathetic, and communicative spirit which is their inalienable birthright. The cloud-compelling Jupiter shrouded himself in darkness, because he dwelt in an abstracted and silent solitude. But the God of day rejoiced in the light, because he was also the God of eloquence. Even so a German will so often write obscurely, because his pleasure is in secluded rumination. A Frenchman always writes clearly, because his happiness is in social and intellectual intercourse. The first calls up shadowy dreams not less with his pen than with his pipe. The other is engaged in the commerce of thought in his study not less than in the salon. And hence the immeasurable superiority of the French to all other nations in social literature. What can be compared with the ease, the grace, the fascinating flow of their familiar letters? except perhaps their historical memoirs, which are, indeed, but another kind of familiar letters, addressed to society at large, by actors in the scene of public life, who have gladly escaped from its caution and reserve to enjoy the freedom of colloquial intercourse.

But such advantages are purchased at a price. The propensity and the power thus to render literature subservient to the embellishment of life are continually tending to a fatal abuse. Recall the long series of men of genius, from Rabelais to Voltaire, who, becoming the victims of their own arts of fascination, have so often debased history, philosophy, and religion itself to a frivolous pastime—the idle resource of the habitually idle. Remember how Bayle postpones every thing else to the amusement of his readers; how Montesquieu strews the Esprit des Lois with epigrams; and how even the illustrious Pascal illuminates the most awful of all discussions with the charms of his inimitable irony. Conjecture (for it

is hopeless to measure) the dimensions of those pyramids of contes, novels, romances, fictitious memoirs, comedies, and vaudevilles, which the pens of French men and women have piled up with such a prodigality of labor and of talent; and then confess that, if the passion to captivate and to be captivated has rendered the style of France pellucid, it has also contributed not a little to render much of her literature frivolous.

The exquisite perspicuity of the French written language is farther the index of the predominance in the French mind of the reasoning faculty; of that faculty which, with truth for its object, and logic for its guide, strives to fathom all the depths, and to scale all the heights of human knowledge, and therefore wages an inappeasable war against all the powers of mental darkness. The most subtle of analysts, the Frenchman dissects his ideas into their component parts with a touch at once so delicate and so firm as almost to justify his exulting comparison of his own vocabulary with that of Athens. The most perspicuous of experimentalists, he explores with the keenest glance all the phenomena from which his conclusions are to be derived. The most precise of logicians, he reasons from such premises with the most undiscolored mental vision. The most aspiring of theorists, he fixes an eagle gaze on the highest eminences of thought, and passes from one mountain-top of speculation to another with a vigor and an ease peculiar to himself. And hence it has happened that the writers of France have become either the teachers or the interpreters of science and of philosophy to the world at large; that their civil jurisprudence forms the most simple and comprehensive of all existing codes of law; and that their historians, their moralists, and their poets breathe freely in a transcendental atmosphere too rare and attenuated to sustain the intellectual life of grosser minds than theirs.

And as their luminousness of style results from clearness of conception, and that clearness of conception from logical exactness, so that logical exactness, combining with the social spirit of the people, has rendered them the greatest of all modern masters in the art of rhetoric. For eloquence is well defined as "ignited logic;" and to the French speaker, logic supplies the fuel, and a genial sympathy the flame of eloquence. The sermons of the pulpits of France, the éloges of

her academies, the discourses of her judges, the debates of her States-General, of her Parliaments, and of her Legislative Assemblies; nay, even the declamations of her Revolutionary clubs all attest that, in every age and in every theatre, her orators have been gifted with admirable powers of agitating and subduing the wills of the crowds which have gathered round them.

But this logical structure of the understanding of our neighbors, while at once generating their characteristic perspicuity of style, and attested by it, has also given birth to that remorseless *Ergoisme* (no language but their own could have found place for such a word) by which they are no less distinguished. The helpless slaves of syllogism, they advance with unflinching intrepidity to any consequence, however startling, which seems to them legitimately to emerge from whatever they regard as well-established premises; while they reject, with equal hardihood, any doctrine, however invaluable, which can not be so demonstrated. They are Rationalists in the correct sense of that much misused expression. That is, they are more than skeptical of all conclusions which unaided reason can not reach, even though they may be reached by the aid of those guides, of which Reason herself has taught the need and the authority. They condemn, as unmeaning or superstitious, every opinion which can not be enounced in terms perfectly unambiguous, even when such opinions are conversant with topics beyond the range of human observation and of man's experience. He who would estimate the extent to which such Pyrrhonism infects and degrades much of the literature of France, must pass a large part of his life in reading books, the knowledge of which a good man would regret, and a wise and humble man avoid.

In that invariable transparency of style in which the sense of all eminent French writers is conveyed to us, we may, I think, farther discover the ancient, and even yet unsubdued propensity of their nation and of themselves to submit to established authority. In a jargon as new as it is offensive, the sacred right of insurrection has, indeed, been loudly proclaimed in our own days. But, from the days of Hugues Capet to those of Louis XVI., it was at once the pride and the habit of the French people to bow to law, or to the semblance

of law, with an almost Oriental subserviency. This national docility was the basis on which the Capetian kings, and the literary dictators of France, alike erected their absolute dominion. Hence that subordination of the individual characteristics of French writers to the generic characteristics of French literature. Hence it is that, in their external forms, history, poetry, philosophy, and even romance, ever correspond in France to certain elementary types, which the law of letters there has prescribed; and that, like so many crystals, each species is cast in its own normal mold, while all the species exhibit the same invariable transparency. The humblest writer for the tragic stage still works upon the model of the Cid or Athalie. The remembrance of the Misanthrope, or Les Joueurs, restrains him who would impart a new demeanor to comedy. Every new philosopher must imitate the method of Des Cartes; and Bourdaloue, to this moment, gives the law to all the pulpits of Paris.

That this conformity of the literature of France to the established canons of French criticism rescues the inferior artists from much extravagance and from many deformities, can not be disputed; though it may, not unreasonably, be questioned whether this advantage is not purchased at too dear a rate; for that docility, and the transparent clearness of style to which all candidates for fame aspire as the one indispensable condition of success, indicate, if they do not also promote, the prevailing absence of the higher powers of the imagination. The Ossianic hero, whose dwelling is in the shadows and the mists, is haunted by spectres which are at once his terror, his delight, and his inspiration. As he draws nearer to the south, he quits them for objects more definite in form, more bright in coloring, but of far less power to agitate his bosom or to kindle his enthusiasm. So in those sunny latitudes of thought in which the French intellect finds its habitual and favorite abode, though there be neither clouds to overcast nor vapors to obscure the prospect, yet neither are there to be found those magical illusions which impart to more sombre skies their deep and mysterious significance. Though France herself denies, yet all other nations with one voice proclaim her inferiority to her rivals in poetry and romance, and in all the other elevated fields of fiction. A French Dante, or Michael Angelo,

or Cervantes, or Murillo, or Göethe, or Shakspeare, or Milton, we at once perceive to be a mere anomaly; a supposition which may indeed be proposed in terms, but which, in reality, is inconceivable and impossible.

I trust that I shall not appear to have been seduced by these more alluring topics from my proposed and proper inquiry into the influence of the literature of France upon her civil polity. The first and most essential step toward the solution of that problem is to determine by what peculiarities that literature is characterized. The second is to estimate (in however brief and cursory a manner) the genius of each of those illustrious men who have left upon the national mind the indelible impress of their imperishable labors. If (as I observed in my last lecture) we can attain to some just appreciation of those patriarchal spirits, we shall understand their less-gifted descendants, sufficiently, at least, for the purpose which I have immediately in view; for the hereditary resemblance, or the indispensable imitation, may, as I have formerly stated, be traced with little difficulty from the intellectual ancestor throughout the whole of his intellectual lineage. To this attempt I will, therefore, now address myself.

Joinville, the son of the Sénéchal of Champagne, was born near the commencement of the thirteenth century, and was educated at the courts of Troyes and Provins; where, at that time, minstrelsy and music rendered the homage in which greatness delights, while they received, in turn, the homage which genius demands. Joinville listened to those strains, and probably applauded them; for he writes as a worshiper of the harmonious and the beautiful; but he did not imitate them. Having succeeded to the sénéchaussée of Champagne, he became esquire carver to St. Louis, and, at his summons, joined that illustrious host which divided, with their royal leader, all the calamities of his Egyptian campaign and of his inactive exile in the Holy Land. But the enthusiasm of loyalty in Joinville, though sustained by dreams of an Oriental principality, proved less enduring than the enthusiasm of religion in St. Louis, sustained as it was by the unfaltering hope of an eternal recompense. The sénéchal, therefore, declined to accompany his master in his expedition to Tunis; but in the reign of Louis X., and at the age of more than ninety, dictated

to an amanuensis the story, which he had doubtless often told before to his associates, of his friendship, his conversations, and his campaigns with the canonized king. That story has survived to our own days as a cherished part of the intellectual patrimony of the French people. In those pages, the gallant and affectionate, but worldly-minded knight, and the magnanimous, pensive, and unworldly king, are so skillfully contrasted, and the virtues and infirmities of each are so reflected and relieved by the other, that no one can contemplate them in that exquisite, though unlabored composition, without understanding and admiring, without condemning and forgiving, and loving them both. Over the whole picture the genial spirit of France glows with all the natural warmth which we seek in vain among the dry bones of the earlier chroniclers. Without the use of any didactic forms of speech, Joinville teaches the highest of all wisdom—the wisdom of love. Without the pedantry of the schools, he occasionally exhibits an eager thirst for knowledge, and a graceful facility of imparting it, which attest that he is of the lineage of the great father of history, and of those modern historians who have taken Herodotus for their model.

At the distance of eighty-six years from the completion of the Memorials of Joinville appeared the yet more popular Chronicles of Froissart. The son of an heraldic painter, and born at Valenciennes, he was familiar from his childhood with the emblems of seignorial dignity, and with the martial achievements on the French and Flemish frontiers. He became, however, not a soldier, but a priest; and then (such were the habits of his times) obtained distinction as a writer of erotic poetry. His verses appear to have recommended him to the favor of Philippa of Hainault, the queen of Edward III., and, by her bounty, he was enabled to travel through France and England, where (as he says) he met with more than two hundred great princes, and collected intelligence on all sides; for Froissart was the first of those French authors who have followed literature as their chief and peculiar calling. The earlier chroniclers had been either the narrators of what they had seen, or the transcribers or abbreviators of what they had read. He, on the other hand, made it the business of his life to gather, from the captains or the princes of his age, the materials for the com-

memoration of their exploits. Such information could not, of course, be so collected and employed without some sacrifice of historical fidelity. But if he is sometimes unjust in the distribution of praise or blame, he is perfectly accurate in the delineation of the world in which he lived. He is not the apologist, but the enthusiast, of the age of chivalry. He does not exaggerate its virtues, for he could conceive of none more exalted; nor does he cancel its faults, for he was blind to their deformity.

For the task which he had undertaken he was qualified, not only by his restless activity and zeal, but by a retentive memory, a luminous understanding, a creative fancy, and an absolute exemption from all national prejudices; for, though the Duke of Burgundy was the superior lord, and the King of France the suzerain of his native city, yet Froissart considered himself neither as a Burgundian nor as a Frenchman, but as the subject of the Count of Namur, the immediate superior of Valenciennes. He wrote, therefore, not as a partisan, but as a cosmopolite. He also wrote, not as a philosopher, but as a painter of the great military spectacle of his age, in all its shifting aspects, in all its brilliant colors, and in all its ceaseless variety; and on that canvas he had the genius to group all the chivalry and the heroism—all the battles and the sieges—all the fêtes and the tournaments of that agitated period, each in a mellow light, each in its due subordination to the rest, and each with a breadth of touch and a truth of perspective which redeems that vast array of figures and that boundless complexity of action from the reproach of confusion or disorder. In the art of picturesque writing, Froissart is not only without an equal, but without a competitor. In the art of narrative he has been surpassed by many, though even in his narration the spirit of his native land may be distinguished in the clearness and the natural sequence of his story, in the graceful adjustment of the several parts of it to each other, in the absence both of tumor in his pathetic passages, and of exaggeration in his historical incidents, and in the easy and unostentatious structure of the language in which his chronicle is composed.

He is, however, only a chronicler. Philippe de Comines is the earliest writer in the French tongue who was entitled to

assume the loftier title of an historian. Froissart had depicted great events; De Comines delineated great men. The one had contemplated the strife of kings and kingdoms as a spectator of the Isthmian games may have gazed at that heart-stirring spectacle. The other had watched the schemes of statesmen and the conflict of nations with some approach to that judicial serenity which we ascribe to a member of the Amphictionic Council. Yet De Comines can hardly be said to have been an impartial judge between the princes who successively enjoyed his aid and his allegiance. He regards Charles the Rash with that affectionate interest which the heroism even of the unwise will excite in the bosoms of the wisest. He contemplates Louis XI. with that combination of curiosity, of attachment, and of awe, which minds of more than ordinary power so often cherish for each other. The images of the fiery duke and of the crafty king were projected in bold relief in the imagination of this acute and vigilant observer, and the truth and distinctness of those images forms the great charm of his retrospect of his own eventful life. The higher charm of a just sensibility, whether to moral beauty or to the absence of it, is, however, wanting in his pages. Whether we study the successive masters of De Comines as described by him, or himself as incidentally pourtrayed in his delineation of those remarkable persons, we are reminded that both they and he were living in an age when Machiavelli was the teacher of princes, and when he numbered among his disciples not only Louis of France, but our own Richard III., and the houses of Borgia and of the Medici. Profound and sagacious as he was, De Comines could neither serve such a sovereign, nor breathe the moral atmosphere of such times with impunity. He is the unqualified admirer, if not the unscrupulous apologist, of his royal master; and seems insensible alike to the injustice of the ends at which he aimed, and to the baseness of the means by which he pursued them. Yet man is not less inconsistent in his faults and errors than in his virtues; and thus even the utilitarian De Comines is unable to survey the revolutions in which he so largely participated without an occasional, and apparently a heartfelt acknowledgment that, in bringing to pass the disastrous catastrophe of the world's history, the will and the agency of man are but in-

struments by which the Divine will accomplishes its immutable purposes of wisdom and of justice. In the subtlety of his analysis of the great characters of his generation—in the force and discrimination of his portraits of them—in the sagacity with which he explores, and the perspicuity with which he interprets, the hidden causes of the events in which they acted—and in his vigorous dispersion of the mists with which ignorance or passion obscures the true aspects of human affairs, De Comines is emphatically a Frenchman. In the reverence with which, on reaching the impassable limits of human investigation, he ceases to inquire, and pauses to adore, he rises higher still, and becomes, not only a citizen, but a teacher of the great Christian commonwealth.

This great triumvirate of French literature before the Reformation (Joinville, Froissart, and De Comines) were not more exempt than their contemporaries from the bondage of Papal Rome. With the fall of spiritual freedom had fallen also the freedom of the intellect. As religion, which is the love of God and of man, had been darkened by superstition, so philosophy, which is the knowledge of God and man, had been buried under the dialectics of the school. The students of the Middle Ages had been thus inexorably debarred from those boundless fields of inquiry into the origin, the nature, the duties, and the destination of our race, in which the sages of Greece and the Fathers of the Church had consumed their laborious lives. All moral truths had passed into so many articles of the faith. All articles of faith had been reduced into so many dogmatic formulas, and all those formulas had the syllogism for their common basis. To multiply such formulas by the multiplication of such syllogisms was the single exercise left open to inventive minds; and to minds not inventive it was permitted only to accept, to remember, and to repeat those peremptory conclusions of the schoolmen. The great end and object of their teaching was to convert the human mind into an intellectual mechanism, by which the same or similar consequences would infallibly, and at all times, be reproduced from the same established premises; and while, to satisfy that craving for general principles which is the indestructible instinct of our nature, the Church of Rome thus employed her array of doctors, seraphic and irrefragible, she also employed the

scourge, the prison, and the brand to silence those who presumed to quench that sacred thirst by ascending for themselves to the fountains of truth which God has opened, both in the Book of Life and in his unwritten revelations in the human heart. For these reasons it is that Joinville and Froissart skim so lightly, though so gracefully, over the surface of the great social movements which they record, and that even De Comines makes no attempt to draw any solution of the great problems lying in his path from those depths with which the theology and the philosophy of later times have rendered our modern historians even ostentatiously familiar.

With the revival of letters, a mighty change came over the spirit of the literature of France. The first and immediate effect, indeed, was to provoke a rapturous and extravagant imitation of the Greek and Latin models. Gray-headed men went to school to study Cicero and Homer. To satisfy the demand for such knowledge, Henry Stephen and Erasmus became at once writers and compositors for the press. Athenian and Roman costumes fluttered through the streets and the salons of Paris. A Macedonian phalanx was enrolled out of the French army; and, at the approach of death, learned men imitated the dying declamations of Cato and Antoninus.

But then came the Reformation, not only to sweep away these follies, but also to dispel many other errors far more formidable than these. The alliance between Christian antiquity and Pagan antiquity triumphed over the fictitious traditions of the Church and the oscillating logic of the School. The Decretals of Isidore, and the Summa Theologiæ of St. Thomas Aquinas, retreated into the limbo of dethroned and departed idols. The human mind once more breathed freely, and men of genius appeared to give utterance to the thoughts and feelings of an emancipated world.

I almost hesitate to pronounce, in immediate juxtaposition, the names of the second great literary triumvirate, who, in the sixteenth century, assumed that high office in France. Yet it is, I think, but an apparent paradox to assert that between Rabelais, Calvin, and Montaigne, the parallelisms are as remarkable as the contradictions.

Rabelais, the son of an inn-keeper at Chinon, was born at that place in the year 1483. He became a Franciscan friar,

a deacon, and a priest in holy orders; and then, at the mature age of forty-two, commenced the study of medicine in the college at Montpellier. Various medical treatises were the fruit of those labors; and the reputation derived from them was sufficient to obtain for him the office of physician to the public hospital at Lyons. But his professional books proving unsaleable, Rabelais, to indemnify his bookseller, wrote and published his Pantagruel, or Chronique Gargantuine, of which (as he says) more copies were sold in two months than of the Bible in ten years. Having thus discovered the secret of his power, he next produced the Gargantua; the work which has secured for him the admiration of all subsequent ages, though the reverence of none. It is a romance in which Rabelais may be considered as depicting the habits, opinions, errors, crimes, and follies of that age of religious and intellectual revolutions, in the centre of which he lived. Yet the critics have doubted, and must ever continue to doubt, whether Gargantua and his son Pantagruel are actual portraits of those who led the armaments (literary, theological, or military) of those times, or are mere impersonations of those abstract qualities by which the world was then governed; whether Panurge and Friar John had any living prototypes among the men of the sixteenth century; or whether the one is but a name for mediocrity, ceasing to be honest as it becomes conspicuous, and the other a name for sensuality, rescued from contempt by a shrewd and jovial spirit. But why investigate these and such other riddles, proposed by their author in avowed defiance of any such attempt? Why, indeed, read at all a book of which not only the general scope, but almost every page, is enigmatical? Why squander time and patience on a writer who, of set purpose, makes his readers dependent on the guidance of some dull and doubtful commentator? I have no answer to these questions, or can answer them only by very earnestly dissuading the perusal of the lives of Pantagruel and Gargantua; for those passages which do reward the toil of the student are separated from each other, not only by this profound obscure, but by foul abysses of impurity, which no skill or caution can always succeed in overleaping. I know not how to describe them in terms at once accurate and decorous, except by borrowing Mr. Carlyle's denunciation of a work of Diderot's, and saying with

him, or in words resembling his, that he who, even undesignedly, shall come into contact with these parts of Rabelais's great work, should forthwith plunge into running waters, and regard himself, for the rest of the day, as something more than ceremonially unclean.

Yet he whose business or whose determination it is to appreciate aright the civil, and therefore the literary history of France, must needs pay this heavy price of knowledge; for, in that history, the romance of Gargantua is an indispensable link. From the revival of heathen antiquity, Rabelais had gathered a mass of learning resembling the diet of his own Pantagruel, who had 4600 cows milked every morning for his breakfast. From the revival of Christian antiquity, he had learned to despise the authority and the superstitions of the Church of Rome, without, at the same time, learning to reverence the authority and the doctrines of the Gospel. He thus traversed the boundless expanse of human knowledge without the chart or compass which may be discovered only in that knowledge which is not human, but divine. He traversed it under the guidance of his own wit, sagacity, and humor; a wit vaulting at a bound from the arctic to the antarctic poles of thought; a sagacity embracing all the higher questions of man's social existence, and many of the deeper problems of his moral constitution; and a humor which fairly baffles all attempts to analyze or to describe it; for it was the result, not of natural temperament alone, but also of the most assiduous and severe studies. The language of Greece had become as familiar to him as his mother tongue; and while he learned from Galen and Hippocrates to investigate the properties of living or of inert matter, he was trained by Plato to spiritual meditation, and by Lucian to a skepticism and a buffoonery alike audacious and unintermitted. From the union of such a disposition and of such discipline emerged the strange phenomenon of a philosopher in his revels. In contemplating it, one knows not, as it has been well said, "whether to wonder most that such wisdom should ever assume the mask of folly, or that such folly should permit the growth and development of any true wisdom." It is, however, an apparent rather than a real difficulty. The wisdom is never sublime, and the folly but seldom abject. Each is but a different aspect of a nature, of

which the parts are, indeed, inharmonious, but not incompatible—of a genuine Epicurean gifted with gigantic powers, but of cold affections and of debased appetites; ever worshiping and obeying his one idol, pleasure, though at one time she bids him soar to the empyrean, and at another commands him to wallow in the sty.

Rabelais was wise in the sense in which any man may be so who delights in the strenuous exercise of a powerful understanding, and loves thinking for thinking's sake. He was wise to detect popular fallacies and to discern unpopular truths. He was wise to see how the young might be better educated, laws better made, nations better governed, wars more vigorously conducted, and peace more securely maintained. He was wise to call down both theology and philosophy from the skies above to the earth beneath us. And he was not more wise than eloquent; sometimes arraying truth in the noblest forms of speech, though more frequently enhancing her beauty by enveloping and contrasting her with the homeliest. At his prolific touch his native tongue germinated into countless new varieties of expression; and the mines of wealth, both intellectual and verbal, which he bequeathed to future ages, after being wrought by multitudes in each, still appear inexhaustible.

The wisdom of Rabelais was, however, of the world, worldly. It never ascended to the eternal fountains of light, nor descended to illuminate the dark places of the earth. It neither sought to interpret the awful mysteries of our nature, nor bowed down to adore in the contemplation of them. It aimed at no exalted ends, nor did it ever lead the way through any rugged and self-denying paths. It expressed neither sympathy for the wretchedness, nor pity for the sorrows of mankind, but was satisfied to be shrewd, and witty, and comical upon them all. To the keen gaze of Rabelais, the frauds, and follies, and ignorance, and licentiousness of the Papal court and priesthood afforded endless matter of scorn and merriment; but to his last hour he lived in their outward garb and communion. To that penetrating eye had been clearly revealed the majesty of the truth which the Reformers taught, and the majesty of the sufferings which they endured in its defense; but not one glow of enthusiasm could they ever kindle in his bosom, as they toiled in indigence, and died in martyrdom, to evangelize the

world. Secure in the absolution of Clement VII. for whatever he had done and written against the Church, and secure in the license of Francis I. to publish whatever else he might please, Rabelais delighted to assume the character of a chartered libertine, or, as it might almost be said, of an intellectual debauchee. And yet, voluptuary, scoffer, and skeptic as he was, his laughter was so hearty, his glee so natural, his frolic so riotous, and his buffoonery so irresistible, that he became, not merely the tolerated, but the favored and privileged Momus of his times. He became also a proof to all later times that, by the great mass of mankind, any thing will be forgiven or permitted to genius, when, abandoning its native supremacy, it condescends to undertake the strangely inappropriate office of master of the revels.

In thus dwelling on the literary career of Rabelais, my object, however, has chiefly been to show how it illustrates the predominance, in all the great authors of France, of the same essential characteristics. His possession and abuse of their logical spirit conducted him to skepticism, if not to infidelity. His possession and abuse of their sympathetic spirit immersed him in a ceaseless bacchanalian riot. Deep and fatal are the traces of his example and of his fame in the literary history of his native land. With him commences the lineage of those eminent spirits who have waged war in France against the moral and religious convictions, and even against the social decencies of the Christian world; a war productive of some of the sorest troubles, or, rather, let us say, of some of the heaviest chastisements which have rebuked the offenses of the nations of modern Europe.

If it were my object to show how contrarieties are related, I know not how I could better accomplish it than by the immediate transition which my subject compels me to make from Francis Rabelais to John Calvin; for, probably, no two men of commanding minds were ever more curiously contrasted with each other, as certainly no two minds were ever enshrined in bodies more dissimilar. To look upon, Rabelais was a drunken Silenus, Calvin a famished Ugolino. The one emptied his bottle before he wrote, while he was writing, and after he had written; the other contented himself with a repast of bread and water once in each six-and-thirty hours. Reposing in his easy chair, the merry doctor was hailed as lord of mis-

rule by all the jovial spirits of his age; enthroned in the consistory of Geneva, the inexorable divine was dreaded as the disciplinarian of himself and of the whole subject city. The witty physician was L'Allegro, the austere minister Il Penseroso, of their generation. The reader of the Gargantua yields by turns to disgust, to admiration, and to merriment; but Democritus himself would not have found matter for one passing smile throughout the whole of the Christian Institute. To Rabelais, human life appeared a farce as broad as the knights of Aristophanes; to Calvin, a tragedy more dismal than the Agamemnon of Æschylus. And as they wrote, so they also lived. The traditional stories about Rabelais, if true, attest his love, and, even if untrue, they attest his reputed love, of that kind of wit which is called practical; all the traditions of Calvin represent him as a man at whose appearance mirth instantly took flight. The gay doctor is made in these tales to play off his tricks on the graduates in medicine, on the Chancellor du Prât, on the King and Queen of France, and even on the mule of the Pope himself; while the solemn theologian makes his domiciliatory visits to ascertain that no dinner-table at Geneva was rendered the pretext for levity of discourse or for excess of diet.

What, then, is the congruity on which to found any comparison between these most incongruous minds? The answer is (to borrow the word once more), that they were both devoted *ergoists*, each of them being at once a mighty master and a submissive slave of logic. To what strange extravagances it conducted or accompanied Rabelais, I have already attempted to show; the consequences to which it impelled Calvin were of far deeper significance.

The great Saxon patriarch of the Reformation had known neither the same mastery nor the same bondage. From the Inspired Volume, indeed, Luther had deduced the doctrines of the churches destined to bear his name. But as his meditations on it led him farther and farther from the tenets and usages of the Church of Rome, he paused. He had been borne onward till he came in sight of conclusions against which his heart reclaimed, and of practices against which his conscience protested. At the bidding of those remonstrances, he was content to be inconclusive, if not illogical. He had left no errors

unassailed, but was content to leave many truths undecided. He had drawn from his Bible principles, the more remote consequences of which he did not attempt to draw. He had learned many lessons of tolerance and some of indifference; and, if he were now living among us, would hardly escape being stigmatized as a latitudinarian for that dislike of religious dogmatism, and that disregard of the varieties of external observances in public worship which marked his declining years.

Most dissimilar were the spirit and the conduct of John Calvin. Before him, also, lay the Inspired Volume. He looked on it as containing not merely the chief, but rather the only premises from which the truths of Christianity could be either learned or inferred. While he was composing his great work Luther was still alive. But they who are, or who claim to be, most familiar with his writings, assert that no mention of the great German Reformer occurs in any part of them. If so, this remarkable silence may probably be referred, partly to the self-complacent nationality and contempt for the foreigner so common to almost all French writers, but still more to his determination to traverse the vast ocean of theology unaided by the charts of any preceding navigator. He seems to have adopted the Baconian apophthegm, that "from any one truth all truth may be inferred;" but with the addition, that these all-embracing inferences must be drawn by no other hand than that of John Calvin himself. There is something even sublime in the courage with which his unaverted eye confronts every difficulty, however formidable, and contemplates every consequence, however repulsive. Without presuming to hazard any opinion on the truth of his peculiar system, and not even pretending to understand it aright, I can yet perceive that, from his apparent meaning, any less intrepid logician than himself must have turned aside with many painful misgivings. Yet I so much distrust my own ability to exhibit an exact summary of his doctrines, that, declining any such attempt, I shall entirely rely on the construction which they have usually received, not less from his friends than from his enemies. He not only advances from the great article of justification by faith alone to a denial of the ground on which the necessity of a holy life had been maintained by the Roman Church, but *seems* to place that necessity on grounds alike insecure and unintelligi-

ble. He *seems* to deduce from that article the opinion that penitence is impossible to the unregenerate, and useless to the elect. He *seems* to ascribe to the Holy Scriptures the doctrine of an absolute fatalism. He *seems* to discover in them the revelation of the awful dogma, that He who is love has called into being a large part of the race of man, foredoomed, by his own immutable decree, to an eternal existence of hopeless misery. He *seems* to interpret the word of God as teaching that the Church and the State are not two bodies in alliance with, or distinct from each other, but the same body, one and indivisible; and that, therefore, all legitimate human government is, in effect, a theocracy. He found, or supposed himself to find, in his Bible, that episcopacy was a human, a needless, or an injurious invention; that holy orders could not be effectually transmitted from one generation of Christian ministers to another; that the baptismal font was superfluous; the use of unleavened bread in the holy eucharist superstitious; the reverence of that sacrament as a divine mystery, to a great extent, a human figment; the festivals of the Church an abuse; and her ancient ceremonials an unmeaning pantomime. Thus taking away the support which feeble man demands under the burden of a pure and absolute spiritualism, he stood erect and triumphant amid the wreck of the ecclesiastical opinions, institutions, and observances of by-gone ages; but not of ecclesiastical opinions alone. Under his guidance, and by a still farther use of his remorseless logic, the secular commonwealth also was shaken to its foundations. Geneva became the cradle of revolt against half the monarchies of Europe; and, under the various names of Presbyterians, Insurgents, Gueux, Huguenots, and Puritans, his disciples in Scotland, in the United Provinces, in France, and in England, proved their fidelity to the political doctrines, and even to the example of the great founder of Calvinism.

If it were admitted that all the links of Calvin's argumentation were as indissoluble as he supposed them to be, it would still remain to inquire whether his opinions are not refuted by the nature of the inferences with which they were thus pregnant; for the reasoning faculty is not the only light, nor is it even the surest of the lights, given to man for his guidance amid the shadows which encircle him. We accept the conclu-

sions of our reason, because the laws and structure of our nature render it inevitable. We accept the assurances of our moral instincts for the very same reason. But there can be no conflicting necessities. There is, indeed, no meaning in any such words. Never yet did Nature say one thing, and Reason say another. Those voices are in eternal harmony, though to us they may occasionally seem at discord. When such a seeming dissonance arises, a wise man will consider whether it is not more probable that his syllogisms are vulnerable, than that his heart misinterprets the law written on it by God himself. In the strength of our instincts, he has graciously provided a compensation for the weakness of our intellects. The best reasoned is not always the most reasonable conclusion; and when, from any logical conclusion, the soul and conscience recoil, we may well believe that there is some real, though latent error, either in the basis on which we have argued, or the superstructure of argument which we have erected upon it.

Calvin admitted no such belief. He took no security against the illusions of logic. He vindicated the tyranny of reason over each man, and of the reason of John Calvin over all men. And they who, like him, are by their birthright the intellectual sovereigns of our race, have ever been greeted by the subject multitude with applause, or rather with exultation, even when their lawful authority has passed into a lawless despotism. His Institution Chrétienne was, therefore, received with unbounded delight. We may, indeed, reject the story that a thousand editions of it were sold in his own life-time; but we can not dispute that, during a century and a half, it exercised an unrivaled supremacy over a large part of Protestant Europe. For that dominion it was indebted, in part, to the novelty and comprehensiveness of the design it accomplished; to the vast compass of learning, scriptural, patristic, and historical, which it embraced; to the depth and the height of the morality which it inculcated; and to the calm but energetic keenness with which it exposed the errors of his adversaries. But the popularity and the influence of this remarkable book is also, in part, to be ascribed to its literary merits. Calvin has been described as the Bossuet of his age. Of all the French authors whom France had as yet produced, he was the most philosophical when he speculated, the most sublime when he adored, the

most methodical and luminous in the development of truth, the most acute in the refutation of error, and the most obedient to that law or spirit of his nation which demands symmetry in the proportions, harmony in the details, and concert in all the parts of every work of art, whether it be wrought by the pen, the pencil, or the chisel. In the ninth chapter of Bossuet's Histoire des Variations may indeed be found the best, as it is a very reluctant, eulogy on the literary excellence of his great rival and predecessor. Even in the haughty gloom which the Bishop of Meaux discovers in the style and tone of the Reformer of Geneva, there is a not inappropriate interest. The beautiful lake of that city, and the mountains which encircle it, lay before his eyes as he wrote; but they are said to have suggested to his fancy no images, and to have drawn from his pen not so much as one transient allusion. With his mental vision ever directed to that melancholy view of the state and prospects of our race which he had discovered in the Book of Life, it would, indeed, have been incongruous to have turned aside to depict any of those glorious aspects of the creative benignity which were spread around him in the Book of Nature. Whatever else may have been the merits of the Calvinistic system, it at least failed to impart elasticity to the spirits, or freedom to the thoughts of those who first embraced it. After the rise and fall of a few generations, it even failed to retain them within the precincts of evangelical truth, and the doctrines of Socinus at length superseded those of Calvin, not only in New England, in France, and in Switzerland, but even in his own Geneva. On a future occasion I may, perhaps, attempt to show how this degeneracy had its root in the despotic logic of the founder of those churches. My more immediate purpose is to trace out the progress of that despotism in the literature of his native country.

As in most other tyrannies, so in this, the immediate effect of the servitude into which Calvin had subdued the minds of his disciples was to provoke a formidable revolt. When he was giving his latest touches to his Institution Chrétienne, Michel de Montaigne, then in his twenty-second year, had just taken his seat in the Parliament of Bordeaux. That he afterward became a deputy in the States-General of Blois, though maintained by no inconsiderable authorities, seems to me im-

possible; but it is clear that his early manhood was devoted to public, and especially to judicial affairs. He was thus brought into contact with the busy world at the moment of a greater agitation of human society than had occurred since the overthrow of the Roman empire. Marvelous revolutions, and discoveries still more marvelous in the world of letters, of politics, of geography, and of religion; the warfare of inappeasable passions; the working of whatever is most base and of whatever is most sublime in our common nature; and calamities which might seem to have fulfilled the most awful of the apocalyptic visions had passed in rapid succession before the eyes of this acute and curious observer. It was an unwelcome and repulsive spectacle. He turned from it to seek the shelter and the repose of his hereditary mansion. In that retirement he indulged or cherished a spirit inflexibly opposed to the spirit by which his native country was convulsed. The age was idolatrous of novelties, and therefore Montaigne lived in the retrospect of a remote antiquity. It was an age of restless ambition, and therefore he passively committed himself and his fortunes to the current of events. The minds of other men were exploring the foundations and criticising the superstructure of every social polity, and therefore his mind was averted altogether from the affairs of the commonwealth. Because his neighbors yielded themselves to every gust of passion, he must be passionless. Because the times were treacherous, he must punctiliously cherish his personal honor. Because they were inhuman, he cultivated all the amenities of life. Because calamity swept over the world, he was enamored of Epicurean ease. Heroism was the boast of not a few, and to their virtues he paid the homage of an incredulous obeisance. Dogmatism was the habit of very many, and therefore Montaigne must surrender himself to an almost universal skepticism.

The contrast was as captivating as it was complete. With a temper easily satisfied; with affections as tranquil as they were kindly; with a curiosity ever wakeful, but never impetuous; with competency, health, friends, books, and leisure, Montaigne had all the means of happiness which can be brought within the reach of those to whom life is not a self-denying existence, but a pleasant pastime. Yet, with him, it was the pastime of an active, enlightened, and amiable mind. The

study of man as a member of society was his chosen pursuit, but he conducted it in a mode altogether his own. The individual man, Michel Montaigne, such as he would be in every imaginable relation and office of society, was the subject of his daily investigation. He became, of all egotists, the most pleasant, versatile, and comprehensive. He produced complete sketches of himself with an air of the most unreserved frankness, and in a tone frequently passing from quiet seriousness to graceful badinage. He describes his tastes, his humors, his opinions, his frailties, his pursuits, and his associates, with the most exuberant fertility of invention, and has wrought out a general delineation of our common humanity from the profound knowledge of a single member of it; and, as the variety is boundless, so is the unity well sustained. His essays are a mirror in which every reader sees his own image reflected, but in which he also sees the image of Montaigne reflecting it. There he is, ever changing, and yet ever the same. He looks on the world with a calm indifference, which would be repulsive were it not corrected by his benevolent curiosity about its history and its prospects. He has not one malignant feeling about him, except it be toward the tiresome, and especially toward such of them as provoke his yawns and his resentment by misplaced and by commonplace wisdom. He has a quick relish for pleasure, but with a preference for such pleasures as are social, inoffensive, and easily procured. He has a love for virtue, but chiefly, if not exclusively, when she exacts no great effort nor any considerable sacrifice. He loves his fellow-men, but does not much or seriously esteem them. He loves study and meditation, but stipulates that they shall expose him to no disagreeable fatigue. He cherishes every temper which makes life pass sociably and pleasantly. He takes things as he finds them in perfect good humor, makes the best of them all, and never burdens his mind with virtuous indignation, unattainable hopes, or profitless regrets. In short, as exhibited in his own self-portraiture, he is an Epicurean who knows how to make his better dispositions tributary to his comfort, and also knows how to prevent his evil tempers from troubling his repose.

The picture of himself, which Montaigne thus holds up to his readers as a representation of themselves, is not sublime,

nor is it beautiful; but it is a striking and a masterly likeness. It is drawn with inimitable grace and freedom, and with the most transparent perspicuity; and they who are best entitled to pronounce such a judgment, admire in his language a richness and a curious felicity unknown to any preceding French writers. Even they to whom his tongue is not native can perceive that his style is the easy, the luminous, and the flexible vehicle of his thoughts, and never degenerates into a mere apology for the want of thought; and that his imagination, without ever disfiguring his ideas, however abstract and however subtle they may be, habitually clothes them with the noblest forms and the most appropriate coloring.

But my more immediate object is to notice the relation in which Montaigne stands to the other great moral teachers of his native land, and to those habits of thought by which France is, and has so long been characterized. The antagonist in every thing of the spirit of his times, he seems to have regarded with peculiar aversion the peremptory confidence by which the great controversy of his age was conducted, both by the adherents of Rome and by the founder of Calvinism. Because they would admit no doubt whatever, every form of doubt found harbor with him. Because they were dogmatists, he must be a skeptic.

In M. Faugère's recent edition of Pascal's Thoughts will be found the famous dialogue on the skepticism of Montaigne, between Pascal and De Sacy—a delineation so exquisite, that it seems mere folly to attempt any addition to it. The genius of Port Royal, however, exhibits there its severity not less than its justice; and a few words may not be misplaced in the attempt to mitigate a little of the rigor of the condemnation. Montaigne was a skeptic (as very many are), because his sagacity and diligence were buoyant enough to raise his mind to the clouds which float over our heads, but were not buoyant enough to elevate him to the pure regions of light which lie beyond them. His learning was various rather than recondite. It was drawn chiefly from Latin authors, and from the Latin authors of a degenerating age; not from Cicero or Virgil, but from Seneca and Pliny. Of Greek he knew but little, though he was profoundly conversant with the translation of Plutarch, with which Amyot had lately rendered all French readers familiar. From such masters Montaigne did not learn, and could

not have learned, the love of truth. They taught him rather to content himself with loose historical gossip, and with half-formed notions in philosophy. They taught him not how to resolve, but how to amuse himself with, the great problems of human existence. They encouraged his characteristic want of seriousness and earnestness of purpose. From such studies, and from the events of his life and times, he learned to flutter over the surface of things, and to traverse the whole world of moral, religious, and political inquiry, without finding, and without seeking, a resting-place. His aimless curiosity and versatile caprice form at once the fascination and the vice of his writings, though not, indeed, their only vice. In this presence I am bound to add the warning, that the name of Montaigne belongs to that melancholy roll of the great French skeptical writers—Rabelais, Montesquieu, Bayle, Voltaire, and Diderot—who, not content to assault the principles of virtue, have so far debased themselves as laboriously to stimulate the disorderly appetites of their readers.

Yet the skepticism of Montaigne was not altogether such as theirs is. He has none of their dissolute revelry in confounding the distinctions of truth and falsehood, of good and evil. He does not, like some of them, delight in the darkness with which he believes the mind of man to be hopelessly enveloped. He rather placidly and contentedly acquiesces in the conviction that truth is beyond his reach. He could amuse himself with doubt, and play with it. With few positive and no dearly-cherished opinions, he had no ardor for any opinion, and had not the slightest desire to make proselytes to his own Pyrrhonism. He was, on the contrary, to the last degree, tolerant of dissent from his own judgment; and, in the lack of other opponents, was prompt, and even glad, to contradict himself. Of all human infirmities, dullness, and obscurity, and vehemence are those from which he was most exempt. Of all human passions, the zeal which fires the bosom of a missionary is that from which he was the most remote. We associate with him as one of the most pleasant of all our illustrious companions, and quit him as one of the least impressive of all our eminent instructors. Into what new forms his skeptical and his social spirit passed in the age next succeeding his own, will be the subject of the lecture which I hope to address to you when we next meet.

March 16. 1853.

LECTURE XIX.

ON THE POWER OF THE PEN IN FRANCE.

In my last lecture I observed how Rabelais (the earliest of the three dominant intellects of France in the sixteenth century) found endless matter for the broadest mirth in the mysteries of our mortal existence; how Calvin derived from Holy Writ the peremptory solution of them all; and how Montaigne amused himself with the inquiry whether such questions were really susceptible of any answer whatever. To that inquiry, his friend, disciple, and imitator, Francis Charron, devoted his once celebrated Treatise on Wisdom. Montaigne had played with the problem "Que sais-je?" and had inscribed it as a motto on the scales he kept by him. Charron inscribed not only on his book, but on the portals of his house at Condom, the words "Je ne sçai." The torch which had thus been passed from hand to hand was at length grasped by Réné des Cartes —a genius who, in profound, intense, and persevering thought surpassed Calvin himself, and rose above Rabelais and Montaigne in the expansion of his mind, still more than he fell below them in wit, and grace, and playfulness.

Des Cartes (the son of a counselor in the Parliament of Rennes) was born at La Haye, in Touraine, in the year 1596. As a volunteer at the siege of La Rochelle, and afterward in the army commanded by Prince Maurice in Holland, he studied the passions of man as developed in their wildest excitement, and then traveled far and long to observe the manners and the prevalent opinions of the various nations of Europe. In one of these journeys, finding himself (as he informs us) in a wild and sequestered scene on the frontiers of Bavaria, he spent the whole day in a sunny nook, passing from thought to thought till he had at last conceived the desire of reducing his mind to a state of absolute nakedness, in which, divested of all his former ideas and affections, he might retain nothing except the will and the power to investigate truth.

This singular wish was as singularly accomplished. He began by inhabiting, in the midst of Paris, a hermitage so inaccessible, that his friends could never discover it, until, after passing two years in that retirement, he became convinced that the Parisian air was possessed by a subtle poison, disposing him to vain and chimerical imaginations. From these intellectual miasmata he therefore escaped to the town of Egmont, in Holland, and resided there during the next twenty-five years in a state of unbroken meditation, solitude, and repose. The University of Utrecht at length, by preferring against him the charge of atheism, drove him once more to Paris as a place of shelter. But at Paris, also, he sought security in vain, and was compelled to accept from Queen Christina the welcome which both his adopted and his native countries had refused him. He died shortly after his arrival in Sweden, a victim to that severe and ungenial climate.

Of the fifty-four years which Des Cartes thus passed on earth, more than thirty were spent in a state of self-abnegation such as no anchorite has ever emulated. It was little that his sleep, and diet, and exercise were exactly regulated by the single purpose of securing, to the utmost possible extent, the independence of his soul on his body. His mental appetites were subjugated to a still more rigid discipline. To secure to his reason an undisputed supremacy over all his other faculties, he labored not only to cast down every idol of the cavern, but to consign to oblivion all the interests, the sentiments, and the events with which either his heart or his imagination had ever been occupied. He even attempted to emancipate himself from the memory of those deceptive languages, Greek and Latin, in which such subtle disguises have been found for so many mental illusions. That he might ascend to the sanctuary of truth, he thus aspired to become a pure abstraction of defæcated intellect.

The result of this sublime and persevering effort was to give birth to the Cartesian philosophy, which has so long exercised, and which even yet retains, so powerful an influence over the minds of the educated classes of society in France. The explanation of that celebrated system falls within the province of other teachers in the University. I shall attempt only to notice one or two of its elementary principles; and I shall do so

in the fewest possible words, because I am well aware that no words of mine, however multiplied, could render intelligible to my audience doctrines which I myself understand so very imperfectly.

"Cogito, ergo sum," is the massive foundation-stone of the colossal edifice erected by Des Cartes. That famous proposition, though really "the well-ripened fruit of long delay," may perhaps sound not only as a truism, but as of all truisms the most meagre. Such a judgment would, however, prove nothing except the ignorance and incompetency of the judge.

"I think, therefore I exist," is not the fragment of a syllogism which might be reconstructed thus: "Whatever thinks, exists. But I think. Therefore I exist." It is rather an enthymeme—that is, an immediate sequence of two propositions, of which the second is the necessary offspring of the first. "I think"—that is, I am conscious of the act of thinking. Myself and my thoughts are a plurality, not a unity. *They* are the objects of which *I* am the subject. My consciousness of them is my adjudication that such objects exist. Or suppose that I can doubt even the existence of my own thoughts. Well, even so; that very doubt is itself a thought of which I am conscious. Let my skepticism be so absolute and so universal as to involve in uncertainty every other conceivable position, yet that very skepticism is the affirmation of myself as a thinking being.

Here, then, the naked reason has at length set her foot upon one resting-place, narrow if you will, but yet firm and immovable. Here is one truth which can not be assailed even by doubt itself; or, rather, here is a truth which doubt itself does but verify and confirm. Nor is this a barren position. It is rather a ground which, when duly cultivated, is prolific of results of the highest moment to every thinking being.

For, first, it ascertains the fact that, to each man, his own consciousness is the primary evidence and the ultimate test of truth. But each man is conscious of many ideas, and each man, who is accustomed to meditate on the subject, becomes aware that his ideas are separable into two classes, distinguished from each other by the difference of the sources in which they originate. One class of our ideas we derive from the testimony of our senses, and from the reflections we make

on that testimony. All our ideas of this class are more or less fallacious, because they all partake of the infirmities of our bodily organs, and of the weakness of our mental powers. The other class of our ideas do *not* originate with our senses, because they do not correspond with any thing presented to our notice in the exterior world. They are, therefore, a part of our very existence, and are coeval with it; not, indeed, actively, but potentially; not as thoughts already developed, but as pregnant germs of thought, to be awakened from their slumber, and ripened into maturity in the progress of our lives. The first of these classes of ideas may be called Factitious, the second Innate.

Now, among our ideas, there is one which challenges peculiar attention. It represents to us a Being self-existent, infinite, eternal, omniscient, omnipresent, supremely holy, just, and true, and absolutely perfect. To the object of that idea we give the name of God. But in the world of sensible things, nothing exists corresponding with this idea, nor any thing from our meditations on which we could have derived it. Consequently it belongs, not to the class of our factitious, but to the class of our innate ideas.

But if my idea of God be an innate idea, it must have been, potentially at least, and as yet an undeveloped germ, a part of my very original existence, and coeval with it. My existence and my idea of God must, therefore, both have sprung from the same fontal source. What, then, is that source?

First. My existence and my coeval idea of God did not originate with myself. If I really had the power and the will to call myself into being, which is of all powers the most eminent, I must also have had the inferior power and the will to clothe myself with all the perfections embraced in my innate idea of God. But I am invested with no approach to any one of those perfections.

Secondly. My existence and my coeval idea of God did not originate with my progenitors; for, if they really called me into being, they must also have called into existence my innate idea of God; that is, they must have infused into me a type of perfection infinitely transcending any prototype residing in themselves. They must have produced an effect with which the producing cause was not in the slightest degree commensurate.

Thirdly. My existence and my coeval idea of God did not originate in the concurrence of a plurality of causes; for, on that supposition, plurality, which is imperfection, called into being my idea of the Divine Unity, which is perfection.

It follows that the origin of my existence and of my idea of God must be a cause distinct from myself and from my progenitors—must be a cause possessing the attribute of unity—and must be a cause invested with all other qualities of self-existence, infinity, omniscience, and the like, which that idea embraces. But such qualities can exist only as the forms of some substance. That substance must be a living, conscious, personal Being; and to that Being we assign the name of Deity.

See, then, the naked reason setting her foot upon a second rock; a resting-place, not contracted and narrow like the first, but sufficiently broad and stable to sustain the superincumbent weight of all divine and of all human knowledge. Man's consciousness of his own thoughts has demonstrated his own existence. Man's consciousness of his own innate idea of God has demonstrated the existence of a Deity, in whom every attribute of wisdom, power, and goodness meet in absolute perfection.

Now, of those perfections, truth is one; for the opposite of truth, that is, falsehood and error, are imperfect. If, then, he who is the source of my being and of my innate ideas be true, those ideas must themselves be true; that is, there must exist some objective realities of which they are the types. As God is the cause of those ideas, so must He also be the substance of them. They are the marks of the great architect indelibly impressed upon his workmanship, man.

Behold, then, the third conquest attained by the pure and naked reason. In the innate ideas of the human mind she has acquired a mirror which represents to her, with infallible accuracy, many of the otherwise inscrutable secrets of the material and immaterial universe.

Advancing from this basis, Des Cartes next proceeds to inquire into the relations between the Creator and his creation, between the body and the soul, between mind and matter. He teaches, if I mistake not (and I am deeply conscious of my liability to mistake), that between things spiritual and things material there is really nothing in common; that between the

immortality of the one and the decays and dissolution of the other there is really no contradiction; that as created things remove farther and farther from their source, they become more and more multiplied, diverse, and dissimilar; but that the Divine Unity is the common basis of them all; that science is but the path by which we return to that unity; that it is a continually progressive generalization—the constant discovery of new harmonies, and reconcilement of seeming differences, until at length the whole universe shall be revealed as under the rule of some few laws—and those laws as dependent on God—and God himself as the common centre of all, as one in every form and species of unity, the single fountain of universal life.

To determine how that divine causation acts and what it is, and how far that which we call cause and effect has any analogy with the creative power and its results, Des Cartes moves onward into a complete system of psychology, founded on and illustrated by other systems, physiological and physical. I do not presume to follow his awful guidance, but, descending to a level more befitting both my capacity and my office, I would attempt briefly to consider, What was the influence, in France, of the Cartesian philosophy, of which such were the first or elementary principles?

Two systems of thought, the most singularly contrasted with each other, presented themselves to Des Cartes as he looked back on the generations immediately preceding his own. The first was the Scholastic philosophy, which, enthralled both by premises and by conclusions which it was forbidden to all men to controvert, and by a logic from which it was forbidden to any to escape, performed within these impassable limits feats of mental agility almost as miraculous as they were useless. From this despotism of human authority, some of the great thinkers of Italy, of England, and of France had revolted into a skepticism which denied or depreciated the power of man to attain to truth at all, either by the use of his reason or by the aid of revelation. The Reformers themselves had contributed, however undesignedly, to foster this prevailing habit of mind, by subverting many of the established opinions, without being able to agree with each other as to the belief to be substituted for them.

But the noble intellect, and yet more noble spirit of Des Cartes, rejected alike this bondage of human authority and the lawless anarchy by which it had been succeeded. Loving truth with his whole soul, he sought her by the most rugged and untrodden paths. He accepted, indeed, the doubts of Montaigne and Charron, of Gassendi and of Hobbes. But, in the judgment of his most eminent disciples, the unbelief, which with them was final, with him was provisional. To them it was a resting-place, to him a point of departure. He became a voluntary unbeliever only that he might attain to a settled faith; and divested himself of every preconceived thought, that so he might erect that superstructure of his more mature judgment on the single basis which appeared to him unassailable by any just or even plausible objection. When addressing you on the subject of the "provisional doubts" of Abélard, I offered my opinion on the substantial worth and accuracy of such eulogies as these; and I now add, that the skepticism of Des Cartes, however upright, did not conduct him to the truth he sought. The system which he thus built up by the intense and solitary labors of more than twenty years, has long since been numbered among the things that were, and are not. It was not given to him to be the intellectual legislator of succeeding ages. But he achieved the yet higher glory of transmitting to all the generations which have followed his own, the indelible impress of his freedom of thought, of his reverence for truth, and of his fervent zeal for the propagation of it.

The earliest of the triumphs of Des Cartes are, however, rather amusing than serious, and are curiously characteristic of French society. The austere sage, or, rather, his books and his doctrines, became for a time eminently fashionable in Paris. Thus we find Madame de Sevigné persuading herself that the nieces of so great a man must excel all other ladies in a certain dance, which, in those days, all ladies were performing. Her inimitable letters bear frequent testimony to the popular use of Cartesian phraseology, as when she writes to her daughter, "J'aimerois fort à vous parler sur certains chapitres; mais ce plaisir n'est pas à portée d'être espéré. En attendant, je pense, donc je suis; je pense à vous avec tendresse, donc je vous aime; je pense à vous uniquement de cette manière, donc je vous aime uniquement." The fables of La Fontaine also

illustrate the prevailing admiration, or, it might rather be said, the submissive worship, of the great teacher, whom he declares the Pagans would have adored as a god, and to whom (he adds) even we may assign a place midway between those beings who are merely human and those who are wholly spiritual. Fénélon reproduced the principles of Des Cartes with all the embellishments of his own graceful imagination; and Bossuet himself, in his treatise, "De la Connaissance de Dieu et de Soi-même," is supposed to be nothing more than the interpreter of some of the more considerable tenets of the Cartesian philosophy.

To explain the decrees of a power so capricious and arbitrary as fashion, is a task which may be undertaken by none but those who have been initiated into her higher mysteries. It may, however, be conjectured, that the patrons of that kind of celebrity found a peculiar zest in bestowing it on one who stood so far aloof from their own glittering circle. Probably, also, they discovered in his style a charm which the most enthusiastic might feel, however little they might be able to analyze it; for the language of Des Cartes resembles nothing more than the atmosphere, by the intervention of which we see, though it is itself invisible. It is the nearest possible approach to that inarticulate speech in which disembodied spirits may be supposed to interchange their thoughts. It has no technical terms—no appeals to the memory—no coloring of imagination or of wit—no trope, or epigram, or antithesis—no rhetoric and no passion. And yet it wants neither warmth nor elegance. The warmth is perceptible in his evident and devout solicitude to attain to truth and to impart it. He writes, not to exhibit his own powers, but to benefit his readers. In the words (I believe) of Pascal, "As you study the author, you perceive the man." The elegance consists in the felicity and the ease with which each successive word, and sentence, and paragraph, and discussion falls into its proper place, and exactly fulfills its appropriate office. It is a language which may be compared to a perfect system of musical chords, which, being touched by some absolute master of the science of harmony, yields a strain at once the most complex in reality and the most simple in appearance. La Place himself never writes under the restraint of a more severe logic.

La Fontaine never tells a fable with a more perspicuous simplicity. "Les Précieuses Ridicules" of Molière, therefore, read and extolled Des Cartes in the sincere belief that they understood him. It was the most natural, though the most complete of all mistakes. If our own Butler could have borrowed his pen, the superficial many would have been as much fascinated by the Analogy as they were by the "Discours de la Méthode," and (with all reverence be it added) the penetrating few would have better understood, as they would have still more profoundly revered, that imperishable monument of piety and of wisdom.

But to gratify the taste, and to win the applause of the courtly or literary circles of the age of Louis XIV., was the least of the effects of the labors of Des Cartes. He is the founder in France of that habit of mind, which to this hour characterizes her more eminent philosophers, and which they hold up to the admiration of mankind under the distinguished term of Spiritualism. On the soundness of these Neo-Platonic doctrines I do not presume to hazard an opinion. But it is risking little to say that *he* did good service to his country who, by the undying authority of his name, has rescued it from the sensualism of Hobbes. To Des Cartes, more than to any other man, it is owing that Physiology has never been allowed by the great philosophical teachers of France, or by their disciples, to usurp the province of Psychology; that the soul is not believed by them to acquire and to digest her aliment just as the body gathers and assimilates its food; that they do not suppose the will, and all the other powers of the interior man, to be but so many parts of a thinking mechanism, obeying the immutable laws of mental dynamics, and destined at last to an inert inactivity; that they discern in the relations of man to his Creator the still perceptible traces of the Divine image, in which our race was formed, and which, in the depths of its fall and degradation, it still retains; and that they perceive, even in the economy and structure of the material universe, a wisdom which contemplates and provides for something more than merely material advantages.

Des Cartes is also the founder, among his fellow-countrymen, of "Rationalism," if that word be used in its inoffensive and better sense. Shortly before his birth, the rebound of the

human mind from the fetters which had so long repressed its elasticity had been signalized by the appearance, in every part of Europe, of spirits struggling for freedom, and aspiring, as it has been beautifully said, to inhabit the palace of their own thoughts—the *edita, doctrinâ sapientum, templa serena.* But as yet these were but the aspirations of the nobler few. The less noble many were still bowing beneath their ancient servitude. It was in the boyhood of Des Cartes that Bruno was burned at Rome, and Vanini tortured at Toulouse. It was in the ripe manhood of Des Cartes that the reluctant Galileo was compelled to admit the revolution of the sun round the earth. It was soon after Des Cartes had quitted the world that Malebranche was still bemoaning the despotism which demanded of all men the sacrifice of their reason and their conscience to the Peripatetic faith. Yet in Malebranche, Des Cartes found his most eminent disciple, and in Leibnitz his most illustrious follower. To this hour the Cartesian spirit is dominant in Germany, and the "Cogito, ergo sum," is the real basis of the hazardous speculations of her greatest philosophers.

For that spirit yet lives, though the forms to which it once gave life are forever gone. It lives in those mental habits, so familiar to our own times, that we have almost forgotten that they are new, and have ceased to look back to their origin among us. Such is the habitual assertion of the right to discriminate between truth and falsehood, in opposition to any and to every human authority. Such is also the habit of bringing all such questions to the test of the universal, not of individual reason. Such, again, is the rejection, in our speculative inquiries, of the treacherous aid of a philosophical terminology, and the rejection of the yet more dangerous support of great names, of ancient traditions, and of established maxims. And such, above all the rest, is the habit of regarding the search for truth, and the propagation of truth, as the high duties to which the intellectual rulers of mankind are bound, when necessary, to sacrifice, not their ease merely, but fame itself, and every other recompense which the world could offer. Francis Bacon was not more the founder of such rationalism as this in England, than Réné des Cartes was the founder of it in France.

Nor was he content to vindicate the rights of reason. He labored, also, to determine and enforce her obligations. In

Des Cartes, the characteristic logic of the French understanding attained its perfection, as, in his writings, it found its model. A teacher of dialectics might draw from every page of the "Discours de la Méthode" admirable examples of the right use of that science. So admirable, indeed, were they, that, while Arnauld and Nicole followed their guidance in the "Grammaire générale Raisonnée" and in the "Logique" of Port Royal, the dramatists, and wits, and poets, as they labored in the adjacent chateau of Versailles to amuse their royal patron, rendered an involuntary homage to their literary sovereign. They imitated the severe sequence of his argumentation even when it was their immediate object to provoke a smile, and they aimed at his transcendental truths while giving utterance to the anguish or the raptures of the heart.

The French critics, pledged as they are to discover the absolute perfection of dramatic genius in Corneille, Racine, and Molière, the consummation of wit and taste in Boileau, and the last refinement of graceful playfulness in La Fontaine, maintain that the secret of the unrivaled beauty of them all consists in the sagacity with which they grasp universal truths, and in the precision with which they express them, or, in other words, in the Cartesian spirit by which they are animated. I know not how to concur in this eulogy. I can perceive, indeed, in the poetry of the age of Louis XIV., this boasted power of reasoning; but I think that I also perceive that it is attained at the expense of the higher power of thinking. We have learned, from our own poets and dramatists, to regard a yet more exalted office than this as their appropriate ministry. We require them to invent and to imagine—to detect the mysteries of the heart—to kindle and to control the affections, and to render the beautiful and the sublime, the pathetic and the ludicrous, suggestive of truth sometimes familiar and sometimes recondite. The Cartesian philosophy and the logical exactness of their French rivals is like a cold subsoil, stunting and starving the vegetation of the well-cultured surface. Thus their heroines not seldom pause to deliver a subtle analysis of the passions by which we are to suppose them devoured. Thus, also, the most brilliant of their comic personages give utterance to long epigrammatic lectures, in the tone (not, I fear, of all tones the most captivating) which best befits an ac-

ademical prælection. The French *dramatis persona* is not an individual agent, behaving and talking as his own peculiar nature prompts him. He is but one of the various aspects of the dramatic author himself—one of the many vehicles for his emotions, for his wisdom, or for his wit. When we read Henry IV., we think only of Falstaff; when we read Andromache, we think only of Racine. Hence it is that neither in the familiar conversation of the French people, nor in their popular literature, do we often meet with the reference (so incessant among ourselves) to the fictitious characters of the national stage, as though they were so many veritable men and women, the intimate acquaintance of us all. For not only the kings and sages, but the lackeys and chambermaids of the classical French theatre are all graduates of the Cartesian academy—reasoners from whom, indeed, you learn no fallacies, but associates from whom you catch no inspiration. Our own national and invincible predilections will constrain us all to look with infinitely greater pleasure upon the forest glade, over which the oak freely tosses his giant arms into the air, than upon all the gardens ever laid out by Le Nôtre, and on all the rectilineal avenues with which he has adorned them.

But Des Cartes had yet other pupils than these, whose genius shed a glory around the age, though not around the court, of Louis XIV. In his correspondence is to be seen a letter from M. Marsenne, dated November, 1639, referring to a youth of sixteen years of age who had just finished a treatise on the conic sections, and who promised to rival the most illustrious mathematicians. The intelligence seems scarcely to have attracted the notice of the great philosopher, who, however, after an interval of eight years, met this precocious genius, and conversed with him on the existence of a vacuum, on the weight of the atmosphere, and on the reality of that subtle matter which was then imagined to fill the illimitable regions of space. At the time of this interview, Blaise Pascal, for that was the young man's name, was laboring under an access of the malady which accompanied him from the cradle to the grave, and Des Cartes (an amateur physician) was among the number of those who in vain suggested remedies for his relief. Feeble as was the bodily frame of Pascal, the few years which he passed in intercourse with the world were vehemently agitated

by some of the most intense of the worldly passions. The years which intervened between his retirement to Port Royal des Champs and his death were devoted to a preparation for that great change—a preparation which consisted in the devout communing of his soul with God, and in preparing, for the benefit of mankind, that great work, of which the scattered fragments, under the name of Pascal's Thoughts, are in the hearts of many and in the hands of all.

And yet not more than seven years have elapsed since the world was first placed in possession of a genuine collection of them. The earliest edition had been rendered at once imperfect by the omissions, and redundant by the additions, to which the author's manuscripts had been subjected by the jealous piety of his surviving associates at Port Royal. The existence of some such errors was generally known, but the extent of them was unsuspected, until M. Cousin surprised the world by the publication of many of the suppressed passages, in which Pascal appeared to avow a Pyrrhonism still more complete than that which he had himself condemned in Montaigne. To verify or to correct this discovery, M. Faugère entered upon a diligent examination of every document throwing any light on it, which could be found in the national or in the private archives of France. The result of this labor of love was the appearance of a new edition of the "Pensées," to which it seems scarcely possible that any thing material should be added by any future inquirer. A careful collection and collocation of the scattered leaves of the original manuscripts has enabled M. Faugère to show that the passages which had attracted M. Cousin's notice were, in reality, fragments of which the sense had been entirely changed by their accidental separation from their context or from each other. In what manner this has been proved—what new views M. Faugère has been able to disclose of Pascal's character and doctrines, and what that character and what those doctrines really were, may be best learned from one of that series of Essays which, having been first given to the world anonymously, have recently been collected and published as his own by Mr. Rogers, one of the very few writers of our age and country who could, without presumption, have undertaken to fathom the learning and to appreciate the genius of Blaise Pascal. It is a presumption of which I shall not

myself be guilty. It will be my humbler office to inquire, What is the place occupied by that great man in the literary history of his native land?

Pascal, then, was a Cartesian. Like Des Cartes, he began with doubt, in order that he might end in certainty. Like him, he renounced all allegiance to merely human authorities, however exalted and however venerable. In the spirit of his master, he received what was passing in the microcosm of his own mind as being, at least to himself, the primary and indispensable witness of truth. As a true disciple of that severe school, he not only revered his own reason as the supreme earthly judge of every question so brought under his cognizance, but conducted all such investigations by the aid of the same geometrical logic by which Des Cartes himself had been guided. And, to complete the resemblance between these two great masters of the art and power of investigation, each of them abandoned his privilege of free inquiry so soon as he entered within the sacred precincts of Faith, where he received, or professed to receive, the authentic intimations of the Divine will in the spirit of a little child.

But here the similitude ended and the divergence began. Des Cartes impersonated the "pure reason" sojourning among men, to occupy herself, not with the business of their lives, but with the mysteries of their nature. Pascal impersonated human sympathy, yearning over the world from which he had withdrawn, and still responding to all the sorrows by which it was agitated. Lofty as was the range of his thoughts, they were never averted from that great human family to which he belonged. Every afflicted member of it had in him a fellow-sufferer. Driven into solitude by the anguish of disappointed hopes and blighted affections, he carried thither also the burden of a body oppressed by almost ceaseless pain or lassitude. And there, living continually, as Richard Baxter says of himself, on the confines of the church-yard, Pascal learned, like that holy man, to regard physical science but as at best a manly sport, and metaphysical science as nothing more than a captivating amusement. To learn that even these studies were also vanity, was, however, the most exquisitely painful of all the lessons he had as yet been taught. It delivered him over to the crushing burden of an existence, cheered by no pursuit,

and animated by no interest. Most solemn and pathetic are the words with which he celebrated his deliverance from that fearful void. They were inscribed on a sort of amulet, which, from that time forward to the last hour of his life, he never ceased to carry secretly on his person. "Père juste (he there exclaims), le monde te n'a point connu, mais je t'ai connu. Joie, joie, joie, pleurs de joie. Je m'en suis separé! Renonciation totale et douce." He had thus found at last the relief of his own sorrows, but it was in renouncing his attachments to the world that he might devote his mighty powers to the consolation of others.

Such was the spirit in which Pascal entered on the composition of his immortal "Pensées." Of those reflections, man was the subject; and even, in the absence of any positive testimony, the internal evidence might satisfy any reader of them that the three men whom he most profoundly studied were Michel Montaigne, Réné des Cartes, and Blaise Pascal. Who but the great essayist is the original of his vivid portrait of one made up of vanity and self-contradiction—so light and frivolous as to be amused with the veriest trifles, even while he is the victim of misery, weakness, and insignificance—at once so little and so great—possessed with an insatiable desire for happiness beyond his reach, and thirsting for truth to which he is unable to attain? Who but the great philosopher was the prototype of the exalted being he depicts, as evidently formed for infinity—as immense when contrasted with nothingness—as the great prodigy of nature—as gifted with powers to know and to desire what is good—as great, because he is able to know his own wretchedness—as nobler than the whole material universe, even if it were all united together to overwhelm him, because *it* would be unconscious of its victory, and *he* conscious of his own destruction? And who but Pascal himself was that union of two—the composite man—the chimera—the chaos—the inconsistent and incomprehensible monster, whom his own energetic hand has so powerfully sketched?

It was from his introspection of that composite man that Pascal, like Des Cartes, derived some elementary truths to serve as the basis of a philosophy yet more divine than his. On the basis of his own consciousness he planted the lowest steps of the ladder on which, like that of the Hebrew patriarch,

an ascent might, as he hoped, be at last made to the very gates of heaven. From those innate and unassailable ideas he designed to evolve a series of consequences on which the mighty edifice of revealed truth might securely rest. He proposed to demonstrate the evangelical system by the Cartesian method. He undertook to establish the religion of prophecy and of miracle by the most severe logical induction. He summoned reason to lead the way to those elevated regions of thought, in which she must resign her charge to the guidance of faith and adoration. From a review of the relations and analogies between the nature of man and the revelation of God, was to be wrought out a chain of internal evidences, linking indissolubly together those primary verities which our consciousness attests, and those ultimate verities which Christianity discloses.

In these later times the Church has sustained no greater disappointment than in that premature death which intercepted the completion of Pascal's undertaking. The fragments of it lie scattered before us, and no meaner hand than his may presume to reconstruct and finish them. Yet, even in their unfinished state, they constitute the most effectual, perhaps, of all the succors by which uninspired man has relieved the human mind from the heavy burden of religious skepticism.

And yet it is but too evident that the great teacher himself fainted occasionally beneath that burden throughout the whole of his mortal existence. M. Cousin's discoveries have, indeed, been superseded by the yet more recent discoveries of M. Faugère. But enough remains to show that Pascal paid the usual penalties of genius, and that not even he could ascend heights of such surpassing elevation, without perceiving that mists and obscurity hung over some parts of the boundless prospects which his mental vision commanded. And hence not, perhaps, the least attractive charm of his profound meditations. What more pathetic than the sadness with which he gazes on the impassable limits of his inquiries, and on the seeming contradictions to which they have conducted him? What more sublime than the resolute integrity with which he scrutinizes and rejects the proffered aid of sophisms to enlarge and reconcile his views? What more touching than the meekness with which his fatigued and anxious spirit finds, in the assurances

of faith, the repose which he has sought in vain from the most intense and persevering efforts of reason?

Much, however, of the painful unrest which preyed upon the mind of the author of the "Pensées" may, I believe, be ascribed to the necessity under which he lay of embracing the whole of the tenets of that branch of the Universal Church to which he belonged. The superincumbent mass of her doctrines was continually tending to displace the foundations of his belief, deep and solid as they were. Even the intellect of Pascal was oppressed in the attempt to connect his innate ideas—those elementary evidences of truth which he drew from his own self-consciousness—with such dogmas as those of human merit —of the worship of saints—of ecclesiastical infallibility—and of the transubstantiation of the elements. Yet, until that connection had been so firmly established, his heart might not find, in the communion of papal Rome, the tranquillity and the solace of which it stood in need; and he never sought it in any other Christian fellowship than theirs.

Sometimes, indeed, he found relief from skeptical thoughts by diverting his mind to topics of a less overwhelming interest. Some years before his retirement, the Jesuits had accused him of a disingenuous plagiarism from the Italians, on the subject of the weight of the atmosphere; and it is said that his father repelled the imputation by the prophetical menace that a day would come when the youth whom they had injured would inflict on themselves an eternal shame and penitence. The utterance of this prediction is, however, doubtful; but we know from the authority of his sister, Madame Perrier, that he undertook the Provincial Letters at the request of Arnauld, who had not himself succeeded in successfully refuting the condemnation which, at the instance of the Jesuits, had been launched against him by the Sorbonne. And keen, indeed, were the shafts of the champion of Port Royal, and irremediable their wounds. Although, at the present day, few perhaps, if any, feel an interest in the controversy on its own account; yet I can not but avow my own opinion that, in that controversy, much less than justice is rendered by Pascal to his antagonists. Father Daniel, one of the most learned of them, has written an answer which no one, I think, can read without conceiving some distrust of the accuracy of the great censor, both as a

logician and as a narrator of matters of fact. But both Daniel and Pascal leave unnoticed what I apprehend to be the true answer to a large part of the argument, or rather of the invective, of the Provincial Letters. It is, that whoever will undertake to prescribe a system of morals in which every principle of virtue shall be brought to the test of extreme cases, and shall be accommodated to them, will ere long find himself in a region of hypothesis, in which darkness must be often put for light, and light for darkness. But thus to control and guide the conscience by peremptory rules, embracing every conceivable problem of human conduct, was not peculiar to the Jesuits. Such casuistry was part of the religious system of the Jansenists also; and, indeed, of every other section of the Church of Rome. It formed the code to be administered in the judgment seat of the confessional. Pascal and Daniel might each have silenced the other by the remark, or by the acknowledgment, that their common spiritual mother was really responsible for the extravagances of Escobar and Sanchez, because she required all her children to live under the law of virtue considered as an abstract science, rather than under the law of virtue considered as a sentiment spontaneously arising in the regenerate heart.

But the reader of the Provincial Letters can hardly pause to form any such cold censure. It seems to him impossible that a weapon of such exquisite edge and temper should be wielded by any other arm than that of truth herself. He can not believe that a fiction so simple, and yet so admirably adapted to its purpose, as the imaginary dialogue of the first ten letters, should be really affording concealment to any error. He rejects as incredible the supposition that any darkness (conscious or unconscious) should really be overclouding a mind which can infuse a light so pellucid into that metaphysical chaos, and can animate with so much light and warmth the dry bones of so obscure a controversy. And while Pascal exercises this kind of spell over the understanding of his readers, he holds their imagination also in equal bondage. His first ten letters are a kind of comedy, glowing with all the illusions, the irony, the gayety, and the wit of the French theatre in the age of Louis XIV. Then, however, the scene is shifted. The well-meaning but bewildered interpreter of the Jesuitical casuists

and his Socratic interrogator are dismissed from the stage, and the Port Royalist appears in his own person to pronounce an indignant invective on the extravagant and atrocious opinions into which his too candid interlocutor has been beguiled. It is an invective as withering as ever proceeded from the French pulpit, when ringing with the vehement eloquence of Bossuet, or the inexorable logic of Bourdaloue.

I have said that I aim at nothing more than to ascertain the place properly belonging to Pascal in the literary history of his native land. It is a position unlike that of any of his illustrious competitors. With each of them literature was the great business and object of life. With Pascal it may be said to have been rather at one time a recreation, at another a self-sacrifice—a recreation or a self-sacrifice of an intellectual giant. He played with physical and mathematical science, and abandoned it as a pastime unworthy the heir of an immortal existence. He played with theological controversy, and turned aside from it also as a pursuit below the dignity of his sacred vocation. He did not *play*, indeed, with the task of demonstrating the truths of Christianity, but he undertook it in a spirit of compassionate sympathy for his brethren of mankind, with which no desire for their applause, nor any other secular motive, was allowed to mingle. Into these relaxations, and into these tasks, the whole soul of the author was unreservedly thrown; and in each of them in turn he exhibits some new aspect of that sublime and comprehensive spirit. Except from these genuine and undesigned self-disclosures, it would have been scarcely credible that in the same mind could have met in perfect harmony the reasoning powers of a great mathematician and the imagination of a great poet; the genial warm-heartedness of a philanthropist and the malicious wit of a comedian; the condensed energy of an orator and the profound and conscientious deliberations of a philosopher; or that the canvas on which he wrought out these prodigies of genius should be ever glowing with the well-ordered contrasts, the graceful variety, and the rich coloring of a painter of human life and manners.

Pascal, however, in common with all his illustrious contemporaries, was deficient in one of the moral sciences. I refer to that science which investigates the principles of all social

institutions, the causes and tendencies of historical events, and the rights and duties of man as a member of the commonwealth. While every other field of knowledge was cultivated in France, Political Philosophy alone was neglected. In other lands, by the aid of such studies, the mental had triumphed over the physical power; but there mind, though victorious in every other enterprise, was powerless to secure to society the blessings of a wise, just, and impartial government. What were the real causes of this ill success? or, in other words, to revert to the problem with a view to which I have engaged in this slight and hasty retrospect of French literature, What was its effect on the constitution of the civil government of France? The answer to that question must at least touch on the political influence of the School of the Pyrrhonists, or the successors of Abélard—of the School of the Ideologists, or the successors of Bernard—and of the School of the Ergoists, or the successors of Calvin. The means by which the kings of France first compelled the great authors of their country to abandon their high office of explaining and improving the polity of the state, and then reduced them to the degraded rank of sycophants or idolators of the royal power, are the fit subject of a distinct consideration.

First, then, the Pyrrhonic School, or succession of the men of letters of France, may be deduced from Abélard as its patriarch, through Rabelais, Montaigne, Des Cartes, and Paschal, and many intervening but more obscure writers, till it reaches Bayle, Montesquieu, Voltaire, and the other contributors to the Encyclopédie of the eighteenth century. It was the common design of them all, though that design was not avowed by them all with equal frankness, to embark on the voyage for the discovery of truth from "provisional doubt" as their common point of departure; that is, from a total absence of all positive opinions whatever. I stated on a former occasion why I believe every such attempt to proceed on a misconception of the fundamental laws of our moral nature, and of the immutable condition of human life. I am well convinced, despite the examples of Abélard, of Des Cartes, and of Pascal, that he who, rebelling against those laws, and impatient of that condition, shall really commence his search for truth in a state of provisional doubt about all things, will end in a state of in-

curable doubt upon every question. Whoever forces his mind into the habit of collecting from every quarter, and of presenting vividly to his imagination, all the difficulties to which every doctrine, religious, moral, or political, is more or less obnoxious, and who then makes such difficulties the subjects of his protracted study, is inevitably, though unconsciously, disqualifying himself for the clear discernment, or for the cordial acceptance of any doctrines whatever. Progressively abandoning his faith in every thing else, he at length abandons all faith in himself, and acquiesces in the melancholy hypothesis that the primæval cause of his existence (whatever that unknown cause may be) called him into being (if indeed his existence be real) with this eager craving for knowledge, that it might conduct him, not to light, but to darkness; not to the discovery of the order and symmetry of all things, but to a view of all things warring with each other in wild and chaotic confusion. Commencing with universal doubt, he will end with universal skepticism.

By skepticism, as I at present employ that word, I do not mean the suspension of the judgment on each successive subject of inquiry, nor that freedom of mind which, in the result of any such inquiry, can lay aside the most cherished preconceptions, and embrace Truth, even if she at length presents herself in a form the most unexpected and unwelcome. Without such skepticism as this, the search for truth is but a mockery; and the inquirer, however much he may vaunt his freedom, is in fact a bondsman. The skepticism which I impute to so many of the great French writers is a very different state of mind from this. They were opinionless, and were content to be so. They were destitute of settled convictions, and acquiesced in the want of them. Even so far as they could attain to any definite creed, they held by it faintly and irresolutely. They had no faith which they were ready to attest by any considerable sacrifice; none to which they clung as an indestructible part of their portion in this life, or of their inheritance beyond the grave.

If, as I am constrained to infer, Abélard, and Rabelais, and Montaigne, and Bayle, and so many others of their illustrious lineage in France, were in this sense of the word skeptics, it seems to me to follow inevitably that a large part of their read-

ers were skeptics also; for they became illustrious precisely because they were the faithful interpreters of the thoughts and feelings which had already been born, or were struggling into life in the minds of their contemporaries. Their popular acceptance and their fame were earned by that fidelity. They would have inculcated Pyrrhonism in vain, and would have been unrewarded by the laurel in any land of which the prevailing tendencies were not already Pyrrhonic. They gave to those tendencies a strength and a decision which would have been unattainable without their aid; but, though they fostered, they did not create them.

That skepticism has long been among the natural characteristics of Frenchmen, I infer, not merely from the general tone of so much of their literature, but also from that peculiarity of it which French critics make their boast. It bears, as they very truly say, constant witness to the national passion for abstract ideas. That passion, indeed, animates, not their books only, but their discourses in the senate, in the pulpit, and at the bar. It takes possession of their clubs, and even of their private society. No aspirant after wit or wisdom in France can make good his pretensions, unless he knows how to scale the transcendental peaks of philosophy. To this species of the sublime they are ever ready to sacrifice even the beautiful. The fine mental sense of Greece (where the love of beauty was a national and universal instinct) would have rejected, with unutterable scorn, those supersensuous embellishments with which Frenchmen, especially in our own times, rejoice to adorn their poetry, their history, and their rhetoric; for, in truth, such ornaments are as cheap and vulgar as they are unbecoming. Any man of common intelligence may be easily trained to any legerdemain of the understanding —to the making of abstractions, for example, as easily as to the making of jokes or the making of verses. The production of apophthegms is a hard task to him, and to him only, who allows himself to utter no words without both a definite meaning and a profound conviction of the truth of what he says. The throes and labors of a long life preceded the birth of each of the sayings for which as many of the sages of Greece have been immortalized. But the writer of the newspaper which lies on your breakfast table at Paris is never without his pearls

of superlative wisdom to scatter over his account of yesterday's review or opera.

Whence, then, is this national habit of quitting the solid earth for the hazy clouds? It is nothing else than the love of that "provisional doubt" in which these aeronauts find their pleasure and their glory. By the aid of these metaphysical juggleries of words, they sublimate, darken, and dissolve all doctrines, even without the express and formal contradiction of any. They live in a region of half meanings or of no meaning—in a state of contented, though perhaps unconscious skepticism. Wedded to no political opinions, but dallying with all, they pass, in a few brief years, through all the phases in which political society has ever exhibited itself among men, though never lacking "pure ideas" with which to polish periods and to darken counsel about each.

The France of the last sixty years has indeed been in a state of chronic and unnatural distortion. But her intellectual habits were not, and could not have been, essentially different when the hill and gardens of Ste. Geneviéve were thronged with the disciples of Abélard, or when the booksellers' shops were besieged by purchasers of the Gargantua, or when the ladies of Versailles were writing Cartesian letters. The enthusiastic popularity of their skeptical teachers has, from age to age, been at once the effect and the cause of that state of the national mind, of which we may read the results in every page of their national history. That history every where depicts a people gallant, gay, ingenious, versatile, and ardent, beyond all rivalry and all example. But it also sets before us a race more destitute than any other of profound and immutable convictions, and, therefore, less capable than any other of a steady progress in the great practical science of constitutional government—a people who are at one time the sport of any demagogue who can veil his selfish ambition under the cant of "pure ideas," and at another time the victims of any despot who may be strong enough to trample both the Ideologists and their verbal science under his feet. To have induced or cherished this mental temperament is, I believe, the well-founded reproach of the "Pyrrhonic succession" in France.

The lessons of those who succeeded to, and represented in later times than his own, the mystic Bernard, however oppo-

site to these in their character, were not very dissimilar in their results. I pause at the entrance into a chapter of ecclesiastical history, upon which I am, for many reasons, at once reluctant and incompetent to enter. It belongs not to me, but to others among us, to explain what were the religious and philosophical tenets of the Gallican Church, as represented by the Sorbonne, and by the schools of the various religious orders. I believe, however, that many of the most powerful members of those bodies, from the days of Bernard to those of Quesnel, adopted each of the two cardinal articles of the peculiar creed of the Abbot of Clairvaux: the first, the spiritual discernment, by the regenerate soul, of the mystic characters engraven on it by the very hand of the Creator, in attestation of the whole system of Roman Catholic doctrine; the second, that, to the pure in heart, all Divine truth is attainable by means of that beatific vision, to which, even in this life, they are admitted—or, in other words, his "Philosophy of Love." To draw up an exact series of the French divines who, by their writings, inculcated on the people of France opinions substantially identical with these, would demand a kind and a degree of knowledge to which I have no pretension. But that such opinions are at this moment maintained in that country by the Hagiologists, who are laboring there so zealously for the advancement of the interests of the See of Rome, is a fact familiar to all who are conversant with their books; and from those books may also be gathered many curious intimations of the descent of those mysterious dogmas from one generation to another. It may, however, be a sufficient proof of their vitality to observe, that it was in order to repress such speculations that the court of Rome pronounced her censure upon Fénélon, and agitated the whole of France by the Bull Unigenitus.

All the argumentative shafts of the Pyrrhonists might have been discharged in vain against such a spiritual coat of mail as this. All the syllogisms which Aristotle ever investigated and constructed would have been unable to disturb any one of the dreams of Madame Guyon. The Stagyrite himself would have been utterly baffled by an antagonist who had so completely shaken off all the fetters of logic. But Rabelais was the most effectual of all auxiliaries to those who had vainly

assailed these great outworks of Papal Rome with their impotent dialectics. His hearty laugh triumphed over antagonists who were altogether beyond the reach of argument. But no alliance could be more disastrous even to those who invoked it. He was the intellectual progenitor of Voltaire. He was the first of that long line of mockers and gibers who hold a position so prominent and so unfortunate in the literary history of France. In no other land has such perfection been ever attained in the art of drawing merriment from the most serious subjects which can engage the thoughts of man. Now there is no mental habit so unfriendly to the growth of firm convictions, and to stability of purpose, among those who addict themselves to it. In his own appropriate province Momus is well enough; but when he wanders from it into the regions sacred to our highest interests, temporal and eternal, he brings with him a moral malaria.

As Mysticism and Quietism were impenetrable weapons of defense against all argument, so they were very formidable weapons of assault against all imputed heresies. I pointed out, in a former lecture, the intimacy of the relation which they bore to the persecutions of the court of Rome. They assured the persecutor of his own absolute infallibility. They taught him that dissent from his opinions was nothing less than fatal. They appeared to him to convict the heretic, not of a mere error of judgment, but of an obdurate depravity of will. They supplied all the premises of which the stake was the actual, if not, indeed, the legitimate consequence. Many have been the enemies of the peace of mankind, but none so ruthless as the Ideologists. Many are the thoughts which have steeled the heart of man to mercy, but none so effectually as a "pure idea" in full possession of it. The rapacity of De Montfort might have been satiated with the plunder and conquest of the Albigenses. The gloomy purpose of the souls of Innocent III. and his successors demanded their extermination. Catharine of Medici and the house of Guise might have been satisfied to reign over heretical subjects, if they could have been terrified into silence and submission. Philip II. and Gregory XIII. were haunted by a dark spirit, which required that the whole realm of France should be watered with the blood of the Huguenots. Richelieu aimed at nothing more

than to crush the political confederacy of La Rochelle. The confessors of Louis XIV. could be appeased by nothing less than the Dragonnades.

The Mystic and Quietist literature of France was pre-eminently devout both in its tone and in its design. But it propagated those views to which may be ascribed the massacre of the Albigenses and of the Huguenots. It contributed more powerfully than any other teaching to annihilate, in the minds of men, that modest self-distrust by which the uplifted arm may be arrested before it falls in vengeance on those who dissent from our opinions. It fostered what I have before called the pride of belief—the pride of him who, believing that his own soul is a mirror reflecting the eternal verities of the Divine intellect, considers it impious to doubt his own infallibility. The stories of the Albigensian crusade and of the wars of religion are, indeed, so revolting, that the reader of them is reconciled to his own nature only by the remembrance that crimes so unparalleled had their basis rather in the illusions of the human heart than in its malignity. Those crimes, however, have not been without their penalties. The royal exterminators of the heretics were elevated by their destruction to an absolute and despotic power over every class and variety of their subjects. Those literary teachers, whose mysticism scattered the two prolific seeds of those persecutions, were therefore, in effect, the most fatal of all enemies to the growth of constitutional liberty in France.

Nor is it possible to exempt the great author of the Institution Chrétienne, and the "Ergoists," who acknowledged in him their intellectual progenitor, from their share of the responsibility for the failure of sound principles of government among the French people. His book furnished the premises of which his Presbyterian scheme of Church government in France was the practical consequence. As we formerly saw, it was a polity founded on principles as purely democratic as were proclaimed in the States-General either by Marcel or by Mirabeau. Calvin was one of the "grands organisateurs" of France; and, in common with almost the whole of that class of French statesmen, he placed himself much more under the guidance of logic than of those other habits or powers of the human mind to which less ambitious statesmen render not in-

deed an exclusive, but a willing homage. He reasoned with inexorable precision, and as he reasoned so he acted. To compare things utterly dissimilar in every other respect, his Institution Chrétienne, and the Ecclesiastical Economy to which it gave birth, tallied with the revolutionary declaration of the "rights of man," and the constitutional act which followed it. In either case the logic was invulnerable, and in each the scheme was impracticable. In either case the design was to advance the cause of freedom, and in each the result was to render that cause utterly hopeless.

In his study at Geneva, Calvin seems to have forgotten the real condition of the people, and of the government of his native land. Perhaps he believed that his disciples would be strong enough to obtain the mastery of that government. If so, it was an entire and a fatal mistake. He established an ecclesiastical democracy in a land in which political freedom had not so much as a nominal existence, and in which the vast majority were the willing subjects of a spiritual despotism. No man could reason more closely, and no man could divine the future more unskillfully. No vision of such a monarch as Richelieu presented itself to his foresight. He did not foresee that, by asserting the independence of the Presbyterian Church, he was raising up against it a mortal enemy in the first great statesman who might be strong enough to assert the supremacy of the crown over all the other institutions of France. He fell into the error so habitual to almost all French Reformers, of sacrificing the practical to the theoretical, and of squandering all which might have been secured, in the vain hope of at once grasping every thing which could be desired. I therefore place him and his followers among those whose writings contributed to the growth of absolute power in France, because he, and they in obedience to his lessons, presented to the French kings, and especially to Richelieu, the greatest of them all, an antagonist which at once provoked and justified their hostility; because he and they enlisted the honest national sentiments of their fellow-countrymen against a system pregnant with the seeds of national disunion; because he and they inculcated religious freedom in a strain so lofty and uncompromising as to render it barren of political freedom, its natural and legitimate offspring.

It remains for me to indicate (most briefly, of course) the means by which the kings of France compelled the great authors of their country to abandon their high and appropriate office of explaining and improving the polity of the state.

During one hundred and forty years the unjust ambition of England had inflicted on that country all the calamities of foreign and of civil war. That crime was expiated by our forefathers in the long and sanguinary contest between the houses of York and Lancaster. But scarcely had the French people been rescued from the scourge of foreign invasion, before they in turn inflicted it on their unoffending Italian neighbors. In their lawless thirst for extended dominion, Charles VIII. and his two immediate successors delivered up the whole of that peninsula to misery and bloodshed. This, again, was a wanton and an audacious invocation of that retributive Providence which rules over the nations of the earth.

At the revival of learning, an Italian patriot might well have indulged the hope of the growth, in his native land, of the science of government, with all the practical blessings which are the natural fruit of the general diffusion of such knowledge. He might have dwelt on the admirable genius of the people, on their unrivaled academical institutions, on their exclusive possession of many of the treasures of ancient learning, and on the division of the country into several states at once independent and emulous of each other. He might, indeed, have anticipated a formidable hostility to such pursuits from the various feudal sovereigns of these states, and a yet more dangerous obstacle in the sacerdotal despotism of Rome. But he could hardly have foreseen that a series of new invasions of the Gauls would again crush the rising prospects of Italian independence. They appeared, however, to the south of the Alps, sometimes as the allies, and sometimes as the avowed enemies of the Pope, the Italian princes, the Spaniards, and the Germans, but always agreeing with them in interdicting those studies which might have taught the prostrate Italian people how their oppressors might be successfully opposed. Crushed beneath the combination of those irresistible forces, the more profound thinkers of Italy extracted out of their own national degradation a new and ill-omened political science. Machiavelli taught how evil might be called good, and good

evil; while Guicciardini, Davila, and Paolo Sarpi assumed in their histories that the rulers of mankind were really guided by these Florentine maxims. We are all familiar with Mr. Macaulay's profound and beautiful analysis of the political morality of that age and country, and with his explanation of the methods by which the homage justly due to integrity and truth was there transferred to successful fraud and well-timed treachery. From this demon worship, however, the nobler spirits of Italy turned aside, some, like Galileo and Cassini, to cultivate physical science; some, like Baronius and Muratori, to immerse themselves in antiquarian researches; while many more, following the indestructible bent and genius of their nation, soared away to the regions of creative art, where the follies and the crimes, and perhaps also the duties, of the lower world were forgotten. In that fairy land they combined the wild imagination of the North with the riant fancies of the East; and there Tasso and Ariosto took refuge from the world of realities in a world of chimeras, where the Paladins of Charlemagne and the story-tellers of Haroun al Raschid meet together, and Christian affections are forced into a strange alliance with the doctrines of Mohammed, and with the magical arts of the fire-worshipers over whom he had triumphed.

But when the French had been driven to the northward of the Alps, the punishment which they had provoked overtook them. The calamities with which they were visited bore an ominous and awful resemblance to those which they had themselves inflicted on the Italian commonwealths. As France had carried the sword, the famine, and the pestilence from one end of the peninsula to the other, so from the Somme to the Pyrenees no French province escaped the desolating march of the religious wars. As France had torn from Italy some of her finest territories, so was she compelled to cede to her own foreign enemies her ancient suzerainté over those wealthy regions which now constitute the Belgic kingdom. As she had been allied with the Germans and the Spaniards in the devastation of the Transalpine States, so she had to bewail the ravages of her own by German and Spanish invaders. As her kings had sought the aid of the Medici in subverting the rights of the neighboring principalities and republics, so an alliance with a daughter of that house eventually subjugated France, during

three successive reigns, to a woman born to be her evil genius and her shame. And as the French invaders of Italy, combining with the Pope, the Imperial and the Spanish crowns, had diverted her men of genius from studies conducing to an enlightened polity and to good government, so Catharine and her sons, in alliance with the Papal court, the League, and Philip II., banished from France the culture and propagation of a knowledge so unwelcome to her infatuated rulers.

Before the Italian wars, such knowledge had not been altogether neglected there. Joinville, as we have seen, had frankly and impartially exhibited the interior, and Froissart the exterior, aspect of the courts by which, in their times, the world was governed; and De Comines had even been, not only the free interpreter, but the enlightened judge, of the policy of the sovereigns whom he served. But no similar revelations or judgments are to be found in the great French authors who succeeded them. The contending hosts in the wars of religion were all, indeed, assisted by squadrons of light-armed literary partisans, by whom libels, pamphlets, and pasquinades were discharged in as thick a flight as the homicidal missiles of the men-at-arms. But I know of no book written by any Frenchman in that age, for the instruction of future ages (except the works of Calvin and of his coadjutors, Farel and Theodore Beza), in which the intellectual rulers of the world, asserting their imprescriptible authority over the secular rulers of it, have summoned them to the bar of their literary tribunal. Calvin, Farel, and Beza, indeed, exercised that dangerous privilege; but it was as exiles from their native land. Rabelais concealed the infrequent and furtive use of it under the mask and riot of a buffoon. The occasional encroachments of Montaigne beyond the limits permitted to men of letters were sheltered from punishment, and perhaps from notice, by his careless and unimpassioned optimism, by his seeming indifference about any opinions, and by his sportive dalliance with all. Des Cartes escaped the censorship of the government by occupying himself in researches in which the most jealous autocrat could hardly see any hazard to his own authority; and Pascal enjoyed a precarious safety by confining himself to the laws of the material universe, and to theological investigations or controversy. Yet even Pascal would have par-

taken of the penalties of his great coadjutor Arnauld if the grave had not closed over him before the publication of his Pensées, and if the appearance of the Provincial Letters had not been hailed by the acclamations of a body of which even Louis XIV. stood in habitual awe—the wits and epigrammatists of Paris.

But it was not enough for the kings of France to silence all political speculations, unless they also reduced the great authors of their country to the degraded rank of sycophants, or idolaters of the royal power.

Richelieu (himself no inconsiderable author) brought the men of letters of France into bondage to the court by creating a sort of literary aristocracy, composed of the members of the French Academy, the honors of which were to be won by the favor of the royal patron. Louis XIV. subjected them to a still more complete dependence. It was a conquest for which nature and fortune had combined to qualify him. He was born, if not with great, yet with showy and plausible abilities, with a princely spirit, a majestic presence, a mellifluous voice, a figure resplendent with grace and beauty, an exquisite sense of all the proprieties of life, with captivating manners, and an elocution adapting itself to all the emergencies of his high station, and alike felicitous in them all. He reigned in an age when centuries of civil war and of aristocratic ambition had driven the whole people of France to the throne, as their only refuge against their protracted and intolerable sufferings; and before a throne occupied by so magnificent an impersonation of royalty they appeared, not merely as supplicants, but almost as worshipers. Nor was this the impulse of those only who were mean in station or in intellect. In the reign of Louis, king worship was part of the religion of the men of rank, and of genius also. The imaginations of many of them were inflamed by his personal grandeur and by his splendid achievements. The hearts of some were touched by his affability and his kindness. Without presuming to criticise his measures, they admired in him the living reality of their ideal of a monarch, and delineated him in all their writings as the great central object, around and in subjection to which were grouped all the other figures with which their invention or their memory could supply them. Fénélon alone, in his character of

Mentor to the Duke of Burgundy, ventured to address some counsels on the duty and science of government, nominally to the Telemachus, but really to the Idomeneus, of the court of Versailles; and Fénélon's exile to Cambray may be ascribed as much to his freedom of speech as to his quietism of soul. The impatience with which, on the one hand, the Grand Monarque regarded the interference of his literary courtiers with his affairs of state, and, on the other hand, their submissive acquiescence in his rebukes, can hardly, indeed, be exaggerated. Witness the fact so strange, and yet so certain, that Racine actually sickened and died on being censured by his royal idol for his arrogance in hazarding a suggestion for the prevention and cure of pauperism.

But the constellation of genius, wit, and learning, in the midst of which Louis shone thus pre-eminently, was too brilliant to be obscured by any clouds of royal disfavor; nor would any man have shrunk with greater abhorrence than himself from any attempt to extinguish or to eclipse their splendor. He wisely felt, and frankly acknowledged, that their glory was essential to his own; and he invited to a seat at his table Molière the roturier, to whom the lowest of his nobles would have appointed a place among his menial servants. As Francis, and Charles, and Leo, and Julius, and Lorenzo had assigned science, and poetry, and painting, and architecture, and sculpture, as their appropriate provinces, to those great master spirits of Italy to whom they forbade the culture of political philosophy, so Louis, when he interdicted to the gigantic intellects of his times and country all intervention in the affairs of the commonwealth, summoned them to the conquest of all the other realms of thought in which they might acquire renown, either for him, for France, or for themselves. The theatres, the academies, the pulpits, and the monasteries of his kingdom rivaled each other in their zealous obedience to that royal command, and obeyed it with a success from which no competent and equitable judge can withhold his highest admiration. At this day, when all the illusions of the name of Louis are exhausted, and in this country, where his Augustan age has seldom been regarded with much enthusiasm, who can seriously address himself to the perusal of his great tragedians, Corneille and Racine—or of his great comedians, Molière and

Régnard—or of his great poets, Boileau and La Fontaine—or of his great wits, La Rochefoucauld and La Bruyère—or of his great philosophers, Des Cartes and Pascal—or of his great divines, Bossuet and Arnauld—or of his great scholars, Mabillon and Montfaucon—or of his great preachers, Bourdaloue and Massillon, and not confess that no other monarch was ever surrounded by an assemblage of men of genius so admirable for the extent, the variety, and the perfection of their powers.

And yet the fact that such an assemblage were clustered into a group, of which so great a king was the centre, implies that there must have been some characteristic quality uniting them all to each other and to him, and distinguishing them all from the nobles of every other literary commonwealth which has existed among men. What, then, was that quality, and what its influence upon them?

Louis lived with his courtiers, not as a despot among his slaves, but as the most accomplished of gentlemen among his associates. This social equality was, however, always guarded from abuse by the most punctilious observance, on their side, of the reverence due to his pre-eminent rank. In that enchanted circle men appeared at least to obey, not from a hard necessity, but from a willing heart. The bondage in which they really lived was ennobled by that conventional code of honor which dictated and enforced it. They prostrated themselves before their fellow-man with no sense of self-abasement, and the chivalrous homage with which they gratified him was considered as imparting dignity to themselves.

Louis acknowledged and repaid this tribute of courtesy by a condescension still more refined, and by attentions yet more delicate than their own. The harshness of power was so ingeniously veiled, every shade of approbation was so nicely marked, and every gradation of favor so finely discriminated, that the tact of good society—that acquired sense, which reveals to us the impression we make on those with whom we associate—became the indispensable condition of existence at Versailles and Marly. The inmates of those palaces lived under a law peculiar to themselves; a law most effective for its purposes, though the recompense it awarded to those who pleased their common master was but his smile, and though

the penalty it imposed on those who displeased him was but his frown.

The men of letters, to whom a place was assigned in the court of Louis, were nearly all plebeians, but were rescued by the king from the social degradations to which their rank might otherwise have exposed them. The graces and the elegance which they witnessed in his circle were not only adopted in their own personal address and manners, but were transferred into their writings. To please, and to rise by pleasing, became the great ends of literary, as they were of fashionable existence. Men of genius sought to please in the republic of letters, as they had learned to please among the aristocratic companions of their princes. They ascended to literary power by the arts which, in that age, conducted the nobles of the land to power in the state. They aimed at creating a profound interest by their writings, without ever provoking a painful excitement. Their books were redolent of the same graceful ease by which they had themselves been charmed in the intercourse of the privileged classes. They exhibited, as authors, the same gayety of spirit which they had seen diffusing, through that elevated circle, the transient sense of equality, so indispensable to all true social enjoyment. Having learned, in the brilliant companies which thronged the royal salons, how mighty is the force of ridicule, they assumed, in their literary character, all the weapons, offensive and defensive, by which the assaults of that great aristocratic power may be either pointed or repelled. Diligent students of the conventional code of manners, they became familiar with all the signals beneath which it commands the polished few to rally, and with all the penalties which it denounces against the unpolished many, who are heedless or unconscious of that rallying cry. Minds born to grapple with the loftiest contemplations were thus too often engaged with the most trivial. They were but too apt to study the superficial aspect of society, to the disregard of its inward state and of its outward tendencies. They investigated the specific man more than the generic man, the French character more than the human character, the empty vanities of the world rather than its true dignities, the fleeting follies of mankind more than their inherent weaknesses or corruptions. Molière himself, great as he was, condescended to become little

else than the lord justiciary, under Louis XIV., of the high court of Ridicule.

But while many of the nobler pursuits of literature were thus abandoned, the learned courtiers of Louis found, in their mental and social allegiance to him, the fullest occasion for exercising and perfecting those qualities which, at the commencement of my last lecture, I enumerated as eminently characteristic of the spirit and intellect of the people of France. Their social disposition and genial nature rendered it easy and delightful to them to reflect in their books, the gayety, the grace, and the cordiality of the high-born associates with whom they mingled. Their logical acumen detected at a glance, and expelled remorselessly from their writings, whatever would have appeared to that fastidious audience either vulgar, or exaggerated, or tedious, or obscure. They used the most abstruse deductions of reason, as Cleopatra used her pearls, to add an occasional zest to a royal banquet. Their national eloquence shone forth with unwearied lustre, though even in the pulpit they never wholly intermitted the homage so habitually rendered to their princely idol. But, above all, the unmeasured obedience of the French people to whatever was esteemed as a legitimate power among them, was manifested by the authors of their Augustan age by the most indiscriminating loyalty. Because Louis was superstitious and intolerant, not a voice was raised among them in defense of spiritual or of mental freedom. Because he was an absolute king, they breathed not a word on behalf of their national franchises. Because he was himself the state, they passed by the affairs of the commonwealth as though the discussion of them would have been a case of *léze majesté* against him. Because success in war was his favorite boast, they incessantly labored in erecting trophies to his military renown. Because he was amorous, they sang of love in strains sometimes impassioned, sometimes artificial, but always in harmony with the sentiments which rumor taught them to ascribe to their king. And because he was the admitted model of universal excellence, the greatest minds which France has ever produced drew habitually and servilely from that model in many of their greatest works.

Genius such as theirs could not, however, but triumph over such obstacles as these. Even under the spells and the bond-

age of the court of Louis, she made manifest her inherent and indomitable energies. Yet the marks of those shackles are indelibly impressed upon her works. It is for this reason, chiefly, that beyond the limits of France itself their power is so feebly felt and so coldly acknowledged. Considered as a mere matter of taste, this is, indeed, of little or of no importance. But it is of the deepest moment to mankind that, in the age and country of Louis XIV., literature was faithless to her highest calling; that her great authors abandoned the free investigation of truth religious, and of truth political; that the men of the seventeenth century abdicated that high office to the men of the succeeding age; and that Racine, Boileau, Molière, Bossuet, and Arnauld, abandoned the highest of all the realms of merely human inquiry to the fatal ambition of Voltaire, Rousseau, Montesquieu, and Beaumarchais. Seizing on that deserted province, those great writers assailed the ancient bulwarks of our faith in that Divine power in whom we have our being, and in those human powers to which God himself has commanded us to be subject. They found those fortresses in France unprotected by any recent defenses, and dilapidated by long neglect; and a century has now nearly run its course since the literature of the age of Louis XV. won a disastrous triumph, which might have been averted if the literature of the age of his predecessor had exchanged the debasing service of an idolized man for that service which we are taught to regard, and which we rejoice to accept, as our perfect freedom.

March 16. 1853.

LECTURE XX.

ON THE ABSOLUTE MONARCHY AS ADMINISTERED BY HENRY IV. AND BY RICHELIEU.

I HAVE thus far been engaged in the attempt to explain why neither those causes which subverted the French Feudal Oligarchy, nor those which seemed to promise the establishment of Constitutional Government in that country, were effectual to arrest the growth of the Absolute Monarchy of France. I now proceed to inquire, What was the real character of that monarchy at the period of its greatest elevation; that is, dur-

ing the reigns of the first three princes of the house of Bourbon? If the time which the laws of the University place at my disposal had been sufficient for the purpose, I should have endeavored to resolve that question by reviewing the progress of the Bourbon Dynasty under each, in order, of its five great administrators, Sully, Richelieu, Mazarin, Colbert, and Louis XIV. in person. But the pressure of time compels me, for the present, to contract that design, and to bridge over, as it were, the interval between the wars of religion and the wars of the Fronde by a rapid survey of the successive stages of the policy of the rulers of France during that period.

It has been said of Henry IV., with equal truth and force, that he was L'Hôpital in arms. The principles which had been asserted by the wisdom and the eloquence of the great chancellor became triumphant by the foresight and the conquests of the great king. In an age of wild disorder and overwhelming calamity, he was raised up to restore his kingdom to affluence and to peace. He appeared to rescue his Protestant subjects from the tyranny which had so long denied to them the freedom of conscience. He came to give a firm basis to the national policy, and to open to his people at large a new direction and a wider scope for the martial energies by which they had hitherto been at once so highly and so ineffectually distinguished. For these high offices he was qualified by great talents and by many virtues. With a capacity large enough to embrace all the social, military, and political interests of his dominions, he combined that practical good sense and flexibility of address, without which there is no safe descent from the higher regions of thought to the real business of life. The intuitive promptitude and the enduring stability of his resolutions attested at once his large experience in affairs, and his wide survey both of the resources at his command, and of the contingencies to which he was exposed. He possessed that kind of mental instinct which advances by the shortest path to what is at once useful and possible, and which turns aside, with unhesitating decision, from any illusive and impracticable scheme. Never was a great innovator more characterized by practical wisdom, and never did such wisdom assume a more attractive aspect. His manners exhibited all the graces of his native land in their most captivating form. Delighted

with his bonhommie, his gayety, and his frankness, his subjects not only forgave his vices, but even found in them a fascination the more. They smiled at the scandalous amours of their gallant monarch as a not unbecoming tribute paid by human greatness to human infirmity. If they looked with awe on the desperate valor of his enterprises, on the inflexible rigor of his discipline, or on the soaring ambition of his political designs, they were reconciled to the stern character of the prince by the ever-flowing and genuine sensibilities of the man. If his lofty sense of his personal and ancestral dignity sometimes gave an austere aspect to his intercourse with his people, that pride of birth did but enhance the charm of his quick sympathy with the feelings and interests of the meanest of them. And, above all the rest, every Frenchman loved and admired, in Henry, the lover and admirer of France, and became patriotically blind to the faults of his renegade and debauched, but still patriot king.

And even now, when the spell is broken, and we may look back on the life of Henry IV. with judicial impartiality, and reprobate the apologies which would have elevated his crimes into virtues, we can not conceal from ourselves the fact that he conferred on his people benefits which well entitled him to their lasting gratitude.

For, first, Henry of Navarre was the founder of religious toleration in France. Until the Edict of Nantes there had been many truces, but no real peace, between the adherents of Rome and the followers of Calvin. To compel all the fragments of the Christian Church to coalesce into one body, each member of which should hold the same opinions, and worship under the same forms, had been the inflexible policy of all his predecessors. To acquiesce in their separation, and yet to maintain each section in the nearest possible approach to an equality both of civil and religious privileges, was the no less inflexible design of Henry. His charter could not, indeed, restore unity to the Church, but it established, on what seemed a secure basis, the unity of the state. The two religions were thenceforward placed under ecclesiastical laws widely differing from each other, but under a civil law common to them both.

The second great praise of the first of the Bourbon line is that of having rescued France from the abyss of bankruptcy and

financial ruin in which it had been involved by the improvidence of the house of Valois. For the completion of that great work the larger share of honor is, indeed, due to Sully; and I will not pause to repeat what I have already had occasion to offer on the subject of his fiscal administration. But from his own Economies Royales we sufficiently learn that, unaided by the magnanimity, the self-denial, and the affection of the king, not even the zeal, the courage, and the sagacity of the great minister would have accomplished that Herculean labor.

The third title of Henry to the place which he has ever held among the benefactors of France has at all times been acknowledged by Frenchmen with more enthusiasm than any other of his services. He was the first of her kings who had at once the discernment to perceive how high a station belonged to her in the European commonwealth, and the energy to devise the methods by which that rank might be effectually vindicated. The project of a great Christian republic at the head of which the eldest son of the Church was to take his stand, was, it is true, but an amusement for the imaginations of Henry and of Sully. Yet, like other dreams it had a basis in waking realities. Richelieu, Louis XIV., and Napoleon were but, each in his turn, the practical interpreters of the vision with which the readers of the Economies Royales are familiar. It contemplated the substitution of the French for the Austrian preponderance in Europe. It anticipated the great principle of that equilibrium of national forces which, half a century later, formed the basis of the Treaty of Westphalia. It was one of those prolific ideas which, when conceived by genius, matured by experience, and planted in a kindly soil, can never cease to affect the condition and prospects of mankind, but will, from age to age, yield abundant, though, perhaps, sometimes deadly fruits. The knife of the assassin arrested the execution of it by Henry himself; but, to this moment, the descendants of those over whom he ruled cling with undiminished passion to the hope which he first excited—the hope that, by the propagation of their language and opinions, by the skill of their diplomatists, and by the terror of their arms, France may at length acquire an authority or an influence like that of Imperial Rome over every land in which, in his age, Papal Rome had established her spiritual dominion.

It is not, however, on these grounds alone that the reign of Henry IV. occupies a memorable position in the constitutional history of his country. It was a period of great consummations and of great beginnings. Like some inland sea, which is at once the receptacle of many converging, and the source of as many diverging streams, it was interposed between two eras strikingly contrasted with each other. It marked the close of the mediæval sovereignty and the commencement of the modern monarchy: the first a dominion of undefined rights, of unsettled habits, and of a fluctuating policy; the second a government absolute in fact and in right, severely consistent in its arbitrary principles, but elaborately adapted to the various exigencies of a civilized commonwealth. The hitherto unorganized elements of the state were now, for the first time, reduced into a political unity. The invidious distinctions of earlier times now began to give place to social equality; and the slow, though steadfast progress of that unity and of that equality may be considered as the subject of the whole of the subsequent history of France. In the triumph of these two principles consists the peculiar distinction and the chief boast of the French polity, whether monarchical or republican, of our times; and, therefore, the age of Henry IV., when considered as the origin of these great national characteristics, demands, and will repay, the most diligent attention.

For, first, the student of that reign will discover that it was the period when all legislative, executive, and administrative powers were first accurately distributed among the various ministers of the crown, and carefully concentrated in the crown itself. Secondly; he will learn that it was then that the nobles, ceasing to be the rivals, became the courtiers of their sovereign, and exchanged much of their ancient power and dignity for an accession of splendor and of wealth. Thirdly; from the same epoch may be dated the appearance and the recognition of the noblesse of the robe; that is, of roturiers, who, being ennobled by the hereditary tenure of judicial offices, attracted to themselves much of the aristocratic importance which had, till then, been enjoyed exclusively by the territorial nobility. Fourthly; about the same period may be discerned the first development of that moral and intellectual influence of men of letters, in the presence of which the influence of illustrious

birth and of traditionary honors gradually waned and lost its hold on the reverence of mankind. Fifthly; then, also, were seen to arise a class of moneyed men, who, by fortunes acquired in commerce, eclipsed the magnificence of the great lords who had inherited their estates through many generations. And, finally, in the reign of Henry IV. also, the different classes of society were fused together in a manner till then unknown, partly in consequence of the participation of all ranks in the profound excitement and devotional fervor of the religious wars, and partly in consequence of the protracted and intimate association with each other, which had prevailed between the three orders of the States-General at Blois, at Orleans, and at Paris, and between the constituent bodies who had been so often convened for the election of the deputies to those States in all the different bailliages of the kingdom.

But while these various causes were concentrating the powers of the government, and approximating the different classes of Frenchmen to one common level, social equality was not to establish her dominion in France except at the expense of bitter animosities and sanguinary contests. The aristocratic and plebeian rivalries, which had been suppressed during the wars of religion, had not been then extinguished. Those meaner passions were striking new and vigorous roots, even then, when the external indications of them had, for the moment, disappeared. While brought into an unwonted intimacy by the joint prosecution of their common objects, political or religious, the Nobles and the Commons were each taking the measure of the strength and the pretensions of the other. The privileged orders were then taught some humiliating lessons of the real inferiority of their own powers; and, at the same time, the Tiers Etât became aware of their own comparative weight and importance in the state. The conservative possessors of rank were exasperated by the fear of new encroachments. The aggressive aspirants after distinction were animated by the hopes of new conquests; and when the great confederacy of the League was dissolved, there had become distinctly perceptible the omens of another national controversy, in which each of the Three Estates of the realm were to contend for the maintenance, or the subversion, of those privileges, which had hitherto detached them so widely from each other. For that con-

flict nothing was wanting but a convenient occasion and an appropriate theatre.

Such an occasion and such a theatre were supplied in October, 1614, when, in obedience to the summons of Louis XIII., the States-General of France were assembled at Paris. Although, according to the strict law, Louis had at that time attained his majority, he was really a boy in his fourteenth year, in tutelage to his mother, Marie de Medici. She was the feeble head of a licentious and disaffected court. To purchase the support of the great lords of the realm, she had squandered a large part of the treasure which had been amassed by the providence of Sully. But the sacrifice was ineffectual. Condé, D'Epernon, and the other chiefs of the old religious factions, were in arms at the head of their followers. The Protestants were on the eve of a new religious war. The Papal court and the Jesuits were propagating ultramontane doctrines, to which the recent assassinations of Henry III. and Henry IV. had given a fearful significance. The people at large, especially in the south, were victims of the most abject poverty and distress; and the popular writers of the age were agitating critical and dangerous questions, as, for example, why the interests of a great nation should all be staked on the life of a single man? and why the welfare of millions should depend on the wisdom of that one man's domestic counselors?

Alarmed by the gathering tempest, the queen-mother at one time sought, in alliances with the house of Austria, a protection against the people she had been called to govern; and, at another time, she summoned their representatives to meet at Paris, to assist her with their counsels.

Florimond de Rapine is the great contemporary historian of the proceedings of the assembly which met in obedience to this royal citation. The general effect of his narrative is to show that, in this last convention of the representatives of the States-General under the old monarchy, the three orders of which they were composed broke out into an open and irreconcilable hostility. Concurring, indeed, in that ancient constitutional jealousy of the crown by which their predecessors had been animated, they agreed in deprecating the dissolution of the States before their complaints for the redress of grievances should have actually ripened into royal enactments; and they

were, therefore, unanimous in resolving to commence their labors, by preferring to the king a joint petition, demanding redress of some few of the more prominent of the evils under which their constituents were laboring. By this method it was assumed that they would deprive the court of any plausible pretext for evading the required concessions, by postponing their answer until after the close of the session.

But, though unanimous in concerting this plan of operations, they could not agree in carrying it into effect. The Clergy proposed that, in the select list of grievances, the foremost place should be assigned to the wrong done to the Church by the long neglect of the crown to receive the decrees of the Council of Trent as binding on all persons within the realm of France. To that proposal the Nobles gave a slow and reluctant adhesion; the Tiers Etât, a peremptory and contemptuous refusal. They denied the necessity for any such request to the crown; inquired why the Clergy did not themselves inculcate reverence for the Tridentine Decrees by their own voluntary obedience to them; why, for example, such of them as had two or more benefices did not conform to the laws of the synod by resigning them in favor of other pastors who had none.

After setting aside the scheme of the Clergy by this and similar sarcasms, the Tiers Etât proceeded to exhibit their own project. They advised that the joint preliminary petition of the three orders should embrace four grievances. These were, first, the undue magnitude of the pension list; secondly, the excessive pressure of the tailles; thirdly, the venality of public offices; and, fourthly, the annual tax, called the Paulette, which was paid to the crown as the price of the hereditary tenure of them. In the two last suggestions the Clergy and the Noblesse willingly acquiesced, because the advantage derived from the traffic in public employments, and from the heritable title to them, was enjoyed exclusively by the roturiers. But they refused to solicit either a reduction of the tailles, from which they were themselves exempt, or a decrease of the pensions of which their own orders were the sole recipients.

Unable, as the Three Estates thus were, to concur in the demands to be made for the relief of their constituents, they were still more decidedly at variance as to the demands to be

made for the security of the king himself. Alarmed by the recent excommunications and murders of their two last sovereigns, and animated by the habitual propensity of Frenchmen to a verbal defiance of the Papal court, the Tiers Etât resolved to place at the head of their cahier a request that it might be enacted as a fundamental and inviolable law of the kingdom, "that no power on earth, whether spiritual or temporal, hath any right either to deprive the realm of France of the sacred persons of her kings, or for any cause or any ground whatever to dispense or absolve their subjects from the fealty or obedience due to them;" and they desired to add the request that the contrary opinion might be declared "to be impious and detestable, opposed to truth and to the constitution of the state of France, which is immediately dependent on God alone." Against this suggestion the Clergy entered a vehement protest. They declared it to be nothing less than an attempt to establish the English oath of abjuration. They announced their readiness to suffer martyrdom rather than participate in such an outrage on the spiritual authority of the Pope. The kings of the earth, they said, were bound to lick the dust from the feet of the Church, submitting themselves to her authority in the person of the sovereign pontiff. They maintained that such an enactment would encroach on the lawful authority of the spiritual power, to which alone it belonged to determine how far the Pope was entitled to depose kings, and to absolve their subjects from their oaths of allegiance; and, adopting the celebrated Jesuitical doctrine of probability, they declared that, in the absence of such a decision, the affirmative and the negative of that question were equally probable, and might alike be holden and acted upon with good conscience.

Such was the violence of the contention, that the Clergy had threatened to retire from the States-General, and to place the kingdom under an interdict; when, to terminate the dispute, the court evoked the article in debate; that is, they assumed to the king himself the exclusive consideration of it, and directed that the passage of the cahier referring to it should be expunged.

The speeches to which these and similar controversies between the three orders gave occasion, afford a yet clearer illus-

tration of the antipathies by which the different classes of society were at this time alienated from each other. Montaigne, one of the orators of the Tiers Etât (who has been strangely confounded, by more than one eminent French writer, with his illustrious namesake), denounced the baseness of the noble pensioners of his age with a vehemence into which all the wrongs which were ever done on the face of the earth could never have betrayed the philosophical essayist. "Is he who serves his king in hope of a pension (demanded the speaker) a good and faithful subject? Alas for the unworthy Frenchmen, French in nothing but the name, who serve your king as mercenaries! If your hearts were touched with the true spirit of obedience, you would serve him not for money, but because he reigns over you by the law of France, and by the law of nature, and by the law of God."

Savaron, another commoner, seems to have excelled in that rhetorical artifice by which the deepest wounds are inflicted in eulogistic phrases, and the deadliest sting is disguised beneath the most affectionate language. In the form of sarcastic apologies, he poured out a series of bitter reproaches upon the Noblesse. After depicting the stupidity which had induced them to abandon the judicial office to men of humble birth, he affects to account for it as a respectable prejudice. After showing that they had abstained from purchasing public offices because they were incapable of discharging public duties, he sneeringly applauds the rectitude and generosity of their forbearance. And when he condemned the conduct of the Nobles to his own order, he at the same time respectfully acknowledged that the Nobles were their elder brethren; anticipating, perhaps, but doubtless rejoicing in, the preposterous violence of their answer, that they would not allow themselves to be addressed as brethren by the sons of cobblers and soap-boilers, who were as much their inferiors as the valet is below his master.

We find Robert Miron, a third of these champions of the Commons, thus apostrophizing the king with all the energy of a tribune of the people. "That man's heart," he said, "must be surrounded by triple brass, and fenced with a rampart of adamant, who can think of the miseries of your subjects without tears and lamentations. For the support of your kingdom

they toil incessantly, regardless of their health and of their lives. They have their sweat and their wretchedness for their pains. Whatever else they gain is consumed by the tailles, the gabelles, the aides, and the other subventions of your majesty. Yet, even when thus stripped of every thing, they are still required to provide for certain persons, who, abusing your sacred name, harass them by commissions, by inquests, and by other oppressive inventions. It is nothing less than a miracle that they are able to answer so many demands. On the labor of *their* hands depends the maintenance of your majesty, of the ecclesiastics, of the noblesse, and of the commons. What without *their* exertions would be the value of the tithes and great possessions of the Church, of the splendid estates and fiefs of the nobility, or of our own houses, rents, and inheritances? With their bones scarcely skinned over, your wretched people present themselves before you, beaten down and helpless, with the aspect rather of death itself than of living men, imploring your succor in the name of Him who has appointed you to reign over them; who made you a man, that you might be merciful to other men; and who made you the father of your subjects, that you might be compassionate to these your helpless children. If your majesty shall not take measures for that end, I fear lest despair should teach the sufferers that a soldier is, after all, nothing more than a peasant bearing arms; and lest, when the vine-dresser shall have taken up his arquebus, he should cease to become an anvil only that he may become a hammer."

In the midst of these sarcasms and invectives was raised another and a far more impressive voice. It was that of Armand Duplessis de Richelieu, then in his thirtieth year, the descendant of an ancient family in Poitou, who, after having been trained to arms, had been appointed, at an early age, to the bishopric of Luçon. He was distinguished among the members of his own order in the States-General as one of the ablest and most effective of their speakers. As if to justify that praise, he has preserved in his Memoirs the oration which he delivered at the final meeting of the States in the royal presence. It shows how much he was in advance of his age as to the real objects and right use of rhetoric. With the exception of a few occasional sacrifices to the pedantic taste of the times,

it is throughout clear, vigorous, and to the purpose. It depicts, in precise and comprehensive terms, the grievances of the people, but especially of the clergy of France, and dwells with an amusing but prophetic emphasis on the benefits which the kingdom would derive from the admission of the more enlightened prelates into the royal counsels.

On the 23d of February, 1625, after four months of eloquent disputations and assiduous labors, the Clergy, the Nobles, and the Tiers Etât presented to the king their cahiers of grievances. On the following day the Tiers Etât returned to their usual place of meeting, in the hope that some communication would then be made to them of the measures to be taken in pursuance of their demands. But, in that short interval, the place had been the subject of a metamorphosis at which some appear to have wept, though assuredly but few Frenchmen could have refused also to smile at so whimsical a contrast. The president's throne, the secretaries' chairs, the members' benches, and the speakers' tribune, had all given place to painted orchestras, gilded side-boards, embroidered stools, and silken cushions; in short, to the preparations for a ball to be given by the sister of Louis to the cavaliers of his court. The impression produced by this disappointment on Florimond Rapine and his associates is amusingly described by himself. "We began," he says, "to see, as in a mirror, all our errors, and regretted the cowardice and weakness of our past proceedings. Day by day we paced the pavement of the cloister of the Augustines to learn what was to happen. Every body was asking news from the court; nobody had any thing certain to tell. One man depicted the public calamities; the next criticised the language of the chancellor and his partisans; the third smote on his breast, bemoaning his unprofitable journey; while another was counting up the minutes which must elapse before he might quit his hateful residence at Paris, and forget the expiring liberties of his country in the quiet of his home and the caresses of his family. All were agreed in devising means for obtaining our dismissal from a city in which we were now wandering idly up and down, with nothing to do either for the public or in our private affairs." Among the deputies, some, however, appear to have been of a sterner mood. One of them indignantly exclaimed, "Are we not the very same men who

yesterday entered the royal presence chamber to complete the most important transaction which could happen in France? Or can a single night have so totally changed our rank, our station, and our authority?" "Are we not the same men to-day that we were yesterday?" exclaimed the Abbé Sieyes, one hundred and seventy-four years later, in the Tennis Court of Versailles. The phrase which, in the reign of Louis XIII., had served only to turn a period, was sufficient, in the reign of his successor, to expedite a revolution.

We must not, however, judge lightly of the real importance of this convention of the States-General of France in the seventeenth century. Their petitions were productive, though at the distance of fifteen years, of some beneficial enactments; and the principles which they asserted were the salient, though the long dormant springs of those great changes which eventually gave a new character to all the political institutions of the kingdom. Thus the adjustment which the Tiers Etât proposed to establish of the great controversy of the League, became the basis, and was almost the text, of the declaration framed by Bossuet, and adopted by almost all the bishops of the Gallican Church in the year 1682. And thus, also, they anticipated four at least of the great political doctrines of France in the age in which we live: the doctrines, that is, of the equality of all men in the eye of the law; of the subordination of all judicial tribunals to one supreme and superintending judicature; of the uniformity of the rates of export and import duties in every district of the state; and of the right of all men freely to engage in every branch of commerce. Concurring in these demands, the Clergy separated their cause from that of the other two orders by the extravagance of their ecclesiastical pretensions; while the Noblesse constituted themselves the apologists for all those abuses which were crushed at the first rude shock of the Revolution of 1789. Had the Three Estates been unanimous, they might have averted that catastrophe; for their united power would have been sufficient to have given a new tendency and character to the whole of the subsequent history of France. But, by their dissensions, they afforded the court of Louis XIII. a specious, if not, indeed, a reasonable escape from all the reforms which the Tiers Etât had so earnestly demanded. The time was perhaps un-

ripe for such innovations, and it was presumptuously concluded that it would *never* ripen. So at least judged the queen-mother and her advisers. But it was with a much farther-sighted prescience that Richelieu had contemplated the scene in which he had borne so conspicuous a part. He had observed how great was the rising power of the Commons, how enlightened their policy, how formidable their moral influence, and, at the same time, how ill regulated their passions; he had studied the means of rendering those passions subservient to his schemes of absolute dominion; nor was the period remote in which he was to reduce to practice the result of those profound meditations. That period, however, had not as yet come.

When deprived of the guidance of the States-General, the mass of society turned for leaders to the Parliament of Paris. It was one of the favorite maxims of that company that they were *les Etâts Généraux au petit pied;* that is, that they were the depositaries of their powers when the States themselves were not in session. Though it was impossible to discover any law, it was easy enough to find authoritative suffrages in support of this doctrine; for the Parliament had a strong hold on the confidence and affections of society. Although many of the members of it were nobles, the counselors or judicial members were invariably commoners, though, indeed, commoners of the highest consideration. Their learning, their integrity, and their public spirit merited, and were rewarded by, universal esteem. A large proportion of them had the advantage of great wealth, and the habitual demeanor of them all was that of men justly confident in their own position and authority. In them the people admired and revered the fearless antagonists of the nobles, of the favorites, and of the court. They passed for the guardians of the liberties of the Gallican Church, and for defenders of national as opposed to foreign interests. Moreover, they formed a compact and united phalanx. They were, or seemed to be, the one stable bulwark in the state, beneath which the weak might hope to find shelter from oppression, and under the shelter of which the public liberties could be securely nourished.

And yet, as often as the Parliament advanced beyond the limits of their appropriate judicial functions, they were in reality feeble, if not impotent. In their conflicts with the crown

and its officers they had no effective constitutional weapon. They could, indeed, refuse to register a royal edict. They could pronounce eloquent remonstrances. They could retire, with the most imposing dignity, into prison or to exile. But then their quiver was exhausted. Their political story is thus the record of enterprises commenced with all imaginable pomp, and ended with all imaginable meanness; of prodigies of moral courage dwindling away into pitiful intrigues; of patriotic designs terminating in civil wars; and of loyal enterprises resulting in traitorous alliances with the foreign enemies of their kings.

Since the dissolution of the States-General of 1614, a month had not passed before the Parliament had embarked in one of these desperate undertakings. They had convened all the nobles and public officers who were members, though not counselors, of their body, to deliberate on certain proposals to be made for the service of the king, for the good of the state, and for the solace of the people. The arrêt was a manifest usurpation, and was promptly and indignantly annulled by an order of the king in council. They met to remonstrate against this mandate, and were again commanded to desist. They then actually prepared, and, in imitation of the States-General, they delivered to Louis a cahier of public grievances, and were answered by a peremptory interdict against their farther interference in any affairs of state. The perplexed magistrates, at the end of their resources, now betook themselves to the debate of points of law and to the investigation of theories of government. To cut the knot by which the lawyers had been baffled, their noble and military colleagues drew their swords. In defense, as they pretended, of their company, the Prince of Condé, and the Dukes of Bouillon, Mayenne, and Longueville, plunged their country into a civil war—a war as ignominious in its close as it had been unjustifiable in its commencement.

Seduced by a donation from the court of 6,000,000 livres, those aristocratic commanders abandoned the field almost as soon as they had entered it, leaving to the counselors of the Parliament the responsibility, the ridicule, and the reproach of this extravagant rebellion.

It was no light responsibility; for, in the wanton levity of their hearts, the Parliamentarians had once more kindled the

flames, not of civil war only, but of a new war of religion. Condé, indeed, was a bigoted Catholic; but such was still the attachment of the Huguenots for the name he bore, that many of them joined the standard which, as his manifesto assured them, he had raised to prevent the revocation of the Edict of Nantes, and to rescue themselves from massacre. His perfidious and mercenary abandonment of their cause left them the helpless victims of the vengeance which they had but too justly provoked. A new persecution fell with terrible weight on the Protestant inhabitants of Béarn, and those outrages yielded in their turn the ordinary and natural results of a vindictive reaction. The deputies of the Calvinistic churches, at a synod or diet holden at La Rochelle, resolved to divide the whole kingdom into eight circles, over each of which a Protestant commander was to preside, though all of those commanders were to be placed under the orders of the Duc de Bouillon, as the military head of the whole confederacy. By these chiefs, armies were to be raised, officers appointed, and taxes levied; but the power of making peace was specially reserved by the assembly to themselves.

The pretext for this traitorous conspiracy (for it was nothing less) was supplied by those provisions of the Edict of Nantes which seemed to recognize in the Protestants the right of defending their privileges with arms, and of deliberating in general assemblies on all the interests of their churches. Such a construction of the edict was, however, sufficiently refuted by the absurdity of the consequences it involved. Henry IV. could not have designed, as assuredly he was not entitled, to authorize the establishment, within the realm of France, of an independent religious and military republic, protected by assemblies, troops, revenues, and foreign alliances of its own. No government could rationally admit, or safely disregard, a pretension at once so extravagant and so formidable. How formidable may be inferred from the fact that, although the Dukes of Rohan and Soubise were the only two of the eight elected commanders who accepted that perilous charge, and although Saintonge, Guienne, Quercy, and Languedoc were the only provinces of France in which the confederates of La Rochelle found any support, yet, even with their resources thus unexpectedly reduced, they continued, during sixteen

months, to maintain hostilities on equal terms with the royal armies, and at length obtained a pacification on conditions so favorable as to show that they had effectually balanced and held in check the power of their sovereign.

It was immediately after this period that Richelieu first obtained admission to the Council of State. He might seem to have been born to supply the deficiencies of the king, and to impart to his dormant virtues the life and energy of which they stood in need. For Louis was a man of large and just capacity. His ideas of the duties of his station were princely and magnanimous. He lived in profound submission to the law of his conscience, in the fear of God, and in veneration for all men in whom he saw, or thought he saw, any image, however faint, of the Divine beneficence and power. But he was of a feeble, indolent, and melancholy spirit. He was habitually rapt in reveries, sometimes splendid, though more often gloomy; but he was always incapable of prompt or decisive action. Though a king, he never was, and never could have been, a free man. It was among the necessities of his existence to live under the government of a master. After selecting and rejecting many such, he at length submitted himself to the dominion of Richelieu, and thenceforward endured that bondage to the last. He endured it, certainly, neither from attachment nor from fear, but because, as often as he struggled to regain his liberty, his efforts were baffled by his admiration of the genius of his great minister, and by his persuasion that no other man could so effectually promote the welfare of his state and people.

Richelieu, on the other hand, was one of the rulers of mankind in virtue of an inherent and indefeasible birthright. His title to command rested on that sublime force of will and decision of character by which, in an age of great men, he was raised above them all. It is a gift which supposes and requires in him on whom it is conferred convictions too firm to be shaken by the discovery of any unperceived or unheeded truths. It is, therefore, a gift which, when bestowed on the governors of nations, also presupposes in them the patience to investigate, the capacity to comprehend, and the genius to combine, all those views of the national interest, under the guidance of which their inflexible policy is to be conducted to its destined

consummation; for the stoutest hearted of men, if acting in ignorance, or under the impulse of haste or of error, must often pause, often hesitate, and not seldom recede. Richelieu was exposed to no such danger. He moved onward to his predetermined ends with that unfaltering step which attests, not merely a stern immutability of purpose, but a comprehensive survey of the path to be trodden, and a profound acquaintance with all its difficulties and all its resources. It was a path from which he could be turned aside neither by his bad nor by his good genius; neither by fear, lassitude, interest, or pleasure; nor by justice, pity, humanity, or conscience.

The idolatrous homage of mere mental power, without reference to the motives by which it is governed, or to the ends to which it is addressed—that blind hero-worship, which would place Wallenstein and Gustavus Adolphus on the same level, and extol with equal warmth the triumphs of Cromwell and of Washington, though it be a modern fashion, has certainly not the charm of novelty. On the contrary, it might, in the language of the Puritans, be described as one of the "old follies of the old Adam;" and to the influence of that folly the reputation of Richelieu is not a little indebted.

In *his* estimate, the absolute dominion of the French crown and the grandeur of France were convertible terms. They seemed to him but as two different aspects of the great consummation to which every hour of his political life was devoted. In approaching that ultimate goal, there were to be surmounted many obstacles which he distinctly perceived, and of which he has given a very clear summary in his Testament Politique. "When it pleased your majesty," he says, "to give me not only a place in your council, but a great share in the conduct of your affairs, the Huguenots divided the state with you. The great lords were acting, not as your subjects, but as independent chieftains. The governors of your provinces were conducting themselves like so many sovereign princes. Foreign affairs and alliances were disregarded. The interest of the public was postponed to that of private men. In a word, your authority was, at that time, so torn to shreds, and so unlike what it ought to be, that, in the confusion, it was impossible to recognize the genuine traces of your royal power."

Before his death, Richelieu had triumphed over all these

enemies, and had elevated the house of Bourbon upon their ruins. He is, I believe, the only human being who ever conceived and executed, in the spirit of philosophy, the design of erecting a political despotism; not, indeed, a despotism like that of Constantinople or Teheran, but a power which, being restrained by religion, by learning, and by public spirit, was to be exempted from all other restraints; a dynasty which, like a kind of subordinate providence, was to spread wide its arms for the guidance and shelter of the subject multitude, itself the while inhabiting a region too lofty to be ever darkened by the mists of human weakness or of human corruption.

To devise schemes worthy of the academies of Laputa, and to pursue them with all the relentless perseverance of Cortes or of Clive, has been characteristic of many of the statesmen of France, both in remote and in recent times. Richelieu was but a more successful Mirabeau. He was not so much a minister as a dictator. He was rather the depositary than the agent of the royal power. A king in all things but the name, he reigned with that exemption from hereditary and domestic influences which has so often imparted to the Papal monarchs a kind of preterhuman energy, and has as often taught the world to deprecate the celibacy of the throne.

Richelieu was the heir of the designs of Henry IV., and the ancestor of those of Louis XIV. But they courted, and were sustained by, the applause and the attachment of their subjects. He passed his life in one unintermitted struggle with each, in turn, of the powerful bodies over whom he ruled. By a long series of well-directed blows, he crushed forever the political and military strength of the Huguenots. By his strong hand, the sovereign courts were confined to their judicial duties, and their claims to participate in the government of the state were scattered to the winds. Trampling under foot all rules of judicial procedure and the clearest principles of justice, he brought to the scaffold one after another of the proudest nobles of France, by sentences dictated by himself, to extraordinary judges of his own selection; thus teaching the doctrine of social equality by lessons too impressive to be misinterpreted or forgotten by any later generation. Both the privileges, in exchange for which the greater fiefs had surrendered their independence, and the franchises, for the conquest of which

the cities, in earlier times, had successfully contended, were alike swept away by this remorseless innovator. He exiled the mother, oppressed the wife, degraded the brother, banished the confessor, and put to death the kinsmen and favorites of the king, and compelled the king himself to be the instrument of these domestic severities. Though surrounded by enemies and by rivals, his power ended only with his life. Though beset by assassins, he died in the ordinary course of nature. Though he had waded to dominion through slaughter, cruelty, and wrong, he passed to his great account amid the applause of the people, with the benedictions of the Church; and, as far as any human eye could perceive, in hope, in tranquillity, and in peace.

What, then, is the reason why so tumultuous a career reached at length so serene a close? The reason is, that, amid all his conflicts, Richelieu wisely and successfully maintained three powerful alliances. He cultivated the attachment of men of letters, the favor of the commons, and the sympathy of all French idolaters of the national glory.

He was a man of extensive, if not of profound learning, a theologian of some account, and an aspirant for fame as a dramatist, a wit, a poet, and a historian. But if his claims to admiration as a writer were disputable, none contended his title to applause as a patron of literature and of art. The founder of a despotism in the world of politics, he aspired also to be the founder of a commonwealth in the world of letters. While crushing the national liberties, he founded the French Academy as the sacred shrine of intellectual freedom and independence. Acknowledging no equal in the state, he forbade the acknowledgment, in that literary republic, of any superiority save that of genius. While refusing to bare his head to any earthly potentate, he would permit no eminent author to stand bareheaded in his presence. By these cheap and not dishonest arts, he gained an inestimable advantage. The honors he conferred on the men of learning of his age they largely repaid, by placing under his control the main-springs of public opinion.

To conciliate the commons of France, Richelieu even ostentatiously divested himself of every prejudice hostile to his popularity. A prince of the Church of Rome, he cherished the independence of the Gallican Church and clergy. The con-

queror of the Calvinists, he yet respected the rights of conscience. Of noble birth and ancestry, his demeanor was still that of a tribune of the people. But it was not by demeanor alone that he labored to win their regard. He affected the more solid praise of large and salutary reformations.

At the distance of fifteen years from the close of the States-General of 1614, he had matured the plans by which he proposed not only to give effect to the cahier of the Tiers Etât, but even to advance far beyond the limits within which they had circumscribed their requests. To have accomplished his designs by the unaided powers of the crown would have been to deprive of much of its grace the boon he intended to confer. To have sought the concurrence of the States-General in a new assembly would have been to counteract his great purpose of elevating the crown above all popular control. He avoided the dilemma by the convention of an assembly of Notables selected by himself. It comprised fifty-five members, among whom no duke, nor peer, nor provincial governor had a place. The majority were commoners, but commoners of high distinction, drawn from the various sovereign courts of the realm. In the States-General, the initiative of all cahiers, or requests for the redress of grievances, belonged to the three orders. In the assembly of Notables, Richelieu claimed it for himself. In his indications of the general objects with a view to which new laws were requisite, he more than anticipated the hopes of the people. Little is it to be wondered that their enthusiasm was fired by projects of which the following are an example:

The king was to be requested to remit all taxes affecting those of his subjects who were either engaged in productive labor, or suffering under urgent want; to throw open promotion in the army to every class of society; to maintain an exact balance between the receipt and the expenditure of the treasury; to increase the navy for the protection of commerce; to establish new commercial companies; to form new canals; to rescue the husbandmen from the rapacity of the troops by a stricter discipline and a punctual payment of their wages; and to dismantle every fortress and castle which was not actually required for the defense of the realm.

A more captivating programme of reforms has not been pro-

duced in our own days before the National Assembly of Paris or the commercial hall of Manchester. It was welcomed with delight, and then transferred to commissioners charged with the duty of translating these abstract doctrines into circumstantial edicts. But, in the case of the last of his proposals, Richelieu saw fit to dispense with any such formality. He summoned the people at once to execute the sentence passed against the fortresses and castles of their lords. Never was a royal injunction more zealously obeyed. In every province and city of France, myriads of plebeian hands were joyfully raised to demolish the strong-holds which they had so long dreaded and so cordially abhorred. The work of destruction was done with order and with calmness. Not one stone was left upon another which could again serve to shelter the oppressions of the lords. Not one stone was cast down which might serve as a monument of the ancient faith or institutions of their country.

The completion of this labor of love was promptly rewarded by the promulgation of the royal edict designed to give effect to the cahiers of the Notables. It comprised four hundred and sixty-one articles, ranging over every branch of the internal polity of the realm: civil law and penal law—ecclesiastical affairs and education—justice and finance—commerce and canals—the army and the navy. But the art of codification may flourish without any advancement being made in the still greater art of legislation. The code of Richelieu, like many other French codes before his time and since, was the Promethean statue without the Promethean fire. It wanted nothing except a living principle. Its great author had also been the author of an irresistible despotism. The elder of his offspring devoured the younger. Having created a power superior to all law, it mattered little or nothing what laws he afterward called into existence.

Thirdly. The strength of Richelieu consisted in his alliance with the idolaters of the national glory. By wars, successful if not brilliant, by negotiations judiciously conducted, by many treacheries, and by a policy philanthropic in pretense, but profoundly selfish in reality, he transferred to the house of Bourbon the ancient influence of the house of Austria. The once formidable armies of Spain were finally crushed at Rocroi, at

Nordlingen, and at Lens, and the Peace of Westphalia established among the powers of Europe a balance, of which the adjustment and the superintendence thenceforward belonged to France. It is true, indeed, that five years had passed from the death of Richelieu before those victories were won, and that peace was made. Yet, as they were the immediate fruits of his policy, and the direct results of the impulse given by him, they were not unjustly regarded as triumphs won under his auspices, and as trophies to his fame.

With what enthusiasm the Frenchmen of his own age regarded the great author of their national aggrandizement may, perhaps, be best inferred from the following passage, which occurs in a prefatory discourse, which, so lately as the year 1850, was prefixed, by so considerable a person as M. Augustin Thierry, to one of those volumes of the national records, for the publication of which the world is indebted to M. Guizot: a discourse to which I gladly acknowledge my own obligations for a more profound and comprehensive survey than I have elsewhere seen of those passages of the history of France to which our attention has been directed on the present occasion. "The exterior policy of Richelieu," observes M. Thierry, "has the singular merit that, after the lapse of two centuries, it is still as living and as national as at the day of its birth. Since the fall of the Roman empire that policy has never ceased, if I may use such an expression, to form a part of the national conscience. It is the policy which the nation has demanded with importunity, and with menaces, of each of the two dynasties which it has so lately crushed. It is the policy which the nation demands now, when restored to her full liberty of action. It consists in the maintenance of independent nationalities, in the enfranchisement of oppressed nationalities, and in respect for the bonds resulting from the community of language and of race. When speaking on the question of the right of France to an aggrandizement which would give her a definite frontier —a question often proposed during three centuries, and still pending, Henry IV. said, 'I desire that all who speak Spanish should belong to Spain, and all who speak German to Germany, but that all who speak French should be mine.' On the same subject Richelieu said, 'The object of my administration has been to re-establish the natural limits of Gaul, to identify

Gaul and France, and to render the limits of the new Gaul coincident with those of the old.' From these principles, combined together, and moderating each other, will result, in the ripeness of the time, the ultimate limitation of the soil of France—of that soil to which we have a title legitimate and perpetual—a title resting on the double foundation of history and of nature."

The hopes thus frankly, and perhaps incautiously, avowed a few months ago by one of the greatest of the living historians of France, though originally excited by Richelieu, first received a definite form and a tangible substance in the reign of Louis XIV. The prejudices of M. Thierry and of his fellow-countrymen may dispose them greatly to overrate the real grandeur of that era. Our own prejudices are not less prone to undervalue it. In unadorned truth, however, it is the most splendid, if not the only splendid, period of the ancient French monarchy. It gave birth to more remarkable events and to more illustrious personages than any other. It was then that the territory of France received its principal enlargement. It was then that the administration of her government was first reduced to any well-ascertained system, or conducted on any self-consistent principles. It was the age of her greatest mechanical and manufacturing inventions. The codes of French jurisprudence were then first reduced into method, and France then possessed her greatest generals and her most illustrious writers.

But there is a dark reverse to this brilliant picture. It was in the reign of Louis XIV., also, that France was afflicted by calamities fearfully contrasted with her recent glories in arms, in arts, and in literature. After eloquence, and poetry, and sculpture, and painting had exhausted their powers in celebrating the triumphs and the felicities of Le Grand Monarque, history had to describe the evening of that bright day overcast by famines, by persecutions, by bankruptcy, by defeats, by invasions, and by the domestic sorrows which shed so deep a gloom over the later years of the once idolized king. But that passage of the annals of France is especially important, because it affords the most complete exhibition which we possess of the real character of her absolute monarchy. To that subject I therefore propose to devote my next three lectures,

considering the reign of Louis, first, in his minority, that is, during the wars of the Fronde and the administration of Mazarin; secondly, in his early manhood, that is, during the administration of Colbert and Louvois; and, thirdly, in his declining years, that is, during the conduct of the government by Louis himself in person. That division will bring under review each in turn of the most momentous constitutional questions of that eventful period.

March 19. 1853.

LECTURE XXI.

ON THE ABSOLUTE MONARCHY DURING THE MINORITY OF LOUIS XIV.

Soon after the surrender of Bordeaux to the arms of Mazarin, three of his defeated antagonists accompanied him, in his carriage, to a short distance from the city. As they rolled along, the cardinal gayly exclaimed, "Who would have thought, a week ago, that by this time of day we four should be sitting together so much at our ease?" "Tout arrive en France," was the characteristic answer of La Rochefoucauld, one of his fellow-travelers. There is no better example, even in his own maxims, of the art of compressing much truth into a narrow compass, than is afforded by this epitome of the civil wars in which he was then engaged; for never, before or since, did so many marvelous personages crowd into the space of four years so many marvelous doings, to be afterward recorded by such a series of marvelous writers. The Fronde is a protracted drama, where, in defiance of all French theatrical laws, tragedy, comedy, and buffoonery struggle for the pre-eminence, but where, nevertheless, a French critic might be pleased to recognize some approach to two of the three indispensable unities of his national stage—those, namely, of action and of place.

On the 14th of May, 1643, Louis XIII. closed his melancholy life, and transmitted his crown to the fourteenth Louis, then a child in his fifth year. In the first week of the new reign, the armies of France under Condé won the splendid victory of Rocroi. With what rapture it was hailed by the peo-

ple at large, may perhaps be inferred from the exulting eloquence in which, at the distance of fifty years, Bossuet revived, in one of his funeral orations, the impressions which that great triumph had produced upon his own boyish mind, when a student at the University of Paris. All was festivity and joy. The ruthless dominion of the austere Richelieu had given place to the indulgent rule of the affable Mazarin. The queen-mother had thrown open to the Parisian world those princely halls which her gloomy husband had devoted to monastic austerities. Prisoners discharged from captivity, exiles returning from foreign lands, thronged her brilliant court, to participate in the hilarities of the new era, and to solicit compensation for their former sufferings. Such was the universal good humor, that, according to a courtly hyperbole of those joyous days, the whole French language was reduced to the five little words "la Reine est si bonne."

Less obsequious observers, however, could perceive, beneath this flowery surface, the widely-scattered seeds of approaching disaster. During the administration of Richelieu, many had really suffered in the cause of Anne of Austria; and many more now ascribed to their zeal in her service the enmity which they had either endured or apprehended from the remorseless cardinal. To reject the demands of such ancient partisans would be to insure their vindictive resentment. To accede to those demands would be to provoke the hostility of all the other candidates for honors or advancement. It was an inextricable dilemma. A few weeks were sufficient to crowd the chambers of the Louvre with dissatisfied courtiers, bemoaning the disappointment of their long-cherished hopes, celebrating their past merits, and denouncing the heartless ingratitude of princes. Their complaints and pretensions amused the laughter-loving people of Paris, and won for them the sobriquet of "*Les Importants.*" To themselves, however, such merriment seemed utterly misplaced. So keen, indeed, was their anger, that the leader of their cabal, the Duc de Beaufort, meditated mortal vengeance; and, as a punishment for the intended assassination of Mazarin, was sent to brood over his wrongs as a prisoner of state in the dismal towers of Vincennes.

To these embarrassments succeeded financial difficulties. The war was conducted with alternate success and failure, but

with an unintermitted waste of the public revenue; and while Guébriant, Turenne, and Condé were maintaining the military renown of France, D'Emery, the superintendent of finance, was struggling with the far severer difficulty of raising her ways and means to the level of her expenditure. The internal history of the first five years of the regency is thenceforward a record of the contest between the court and the Parliament of Paris; between the court, promulgating edicts to replenish the exhausted treasury, and the Parliament, remonstrating in angry addresses against the acceptance of them. In some of those remonstrances, Omer Talon, the advocate general, addressed the queen-mother in terms from which the orators of the National Convention might have borrowed proofs and illustrations of their favorite doctrines of the rights of man. But Anne of Austria listened to such eloquence in a spirit most unlike that of her descendant, Louis XVI. She seems to have regarded M. Talon in the light of a tragic actor, reciting a declamation from Corneille, and warmly extolled the rhetorical embellishments with which he had adorned it. Nor does the speaker himself appear to have foreseen the approach of any more genuine tragedy; for, just before his delivery of the last of those patriotic speeches, he recorded, in his still extant journal, his opinion that a great and universal calm had at length been firmly established throughout the kingdom. To understand how, and by whom, that calm was broken, it is necessary to recur, however briefly, to the constitution of the sovereign courts, which at that period had their seat in the Palais de Justice of Paris.

In ancient France, as I had formerly occasion to explain, the title of *sovereign* was given to every court of justice, from the judgments of which there could be no appeal to any other tribunal. Four such courts were in practice, if not of right, always stationary in the capital. Of these the Parliament was the most considerable. It was a single company, divided into five distinct chambers, called the Great Chamber—the Chamber "des Enquêtes"—the Chamber "de la Tournelle"—the Chamber "des Requêtes"—and the Chamber "de l'Edit."

First. The Great Chamber was composed of a high officer, called the first president; of nine presidents à mortier (so called from their mortar-shaped velvet caps, which were the badge

of sovereign justice); and of thirty-seven counselors, of whom twelve were clergymen and twenty-five laymen. These were the stipendiary members of the Great Chamber. But seats in it belonged to honorary members also. These were the princes of the blood—the dukes and peers of France—the chancellor or keeper of the great seal—the counselors of state—the archbishop of Paris—and the bailli of Clugny: to whom were added four masters of requests. To the Great Chamber belonged what was called "la haute direction" of the whole Parliament, the cognizance of all charges of high treason, and jurisdiction in all cases affecting any peer of France, or any great officer of the crown, or the University of Paris, or the hospitals of that city.

Secondly. The Chamber "des Enquêtes" was a court of appeal from all subordinate civil tribunals, and from all the courts of Police correctionelle. The counselors of this chamber were very numerous, and were usually young men, and among them were invariably found the most active political agitators of the Parliament.

Thirdly. The Chamber "de la Tournelle" was the court for adjudicating on all criminal cases brought before the Parliament by way of appeal.

Fourthly. The Chamber "des Requêtes" had, for their peculiar province, the decision of all cases specially reserved to the Parliament by the writ of committimus, which I formerly mentioned.

Fifthly. The Chamber "de l'Edit" was so called, because it was constituted, under the edict of pacification with the Protestants, to decide the causes in which they were chiefly concerned.

Although each of these five component chambers of the Parliament had thus separate functions, yet, when any royal edict was to be registered, or when any other political question was to be discussed, all the members of each met together as one united body. The exclusive right to convene any such general meetings was claimed by the Great Chamber, but that claim was disputed by the others, and especially by the Chamber "des Enquêtes," who asserted an equal right to summon any such conventions.

The three other sovereign courts of Paris were the Chamber "des Comptes," the Cour des Aides, and the Grand Conseil.

The Chamber "des Comptes" was originally composed of officers of the crown, selected from the Royal Council. It afterward received a separate organization not unlike that of our own Court of Exchequer; and, as we formerly saw, became at once an office for auditing the public accounts of the kingdom, and a court of justice for the decision of cases affecting the public revenue.

A large part of the judicial functions of the Chamber "des Comptes" was, however, afterward transferred to the Cour des Aides. That court was also composed of officers or counselors of the crown. The judicial powers of the Chamber "des Comptes" and of the Cour des Aides, though not altogether, were yet, to some degree, concurrent; but the Cour des Aides did not at all participate in the administrative powers of the Chamber "des Comptes" as auditors of the public revenue.

Finally. The Grand Conseil was a body exercising many high political functions, but also constituting a court of justice. It had cognizance of those cases from which other courts were specially excluded. Such, for example, were cases which, by the evocation of the king, or by some peculiar privilege of the suitors, were exempt from the authority of the ordinary tribunals. The Grand Conseil had also, like the modern Cour de Cassation, the power to annul the judgments of other courts, when such judgments were self-contradictory, or when they encroached on the legislative or other prerogatives of the crown.

The counselors or stipendiary judges of each of these four sovereign courts held their offices for life. But, in virtue of the law called the Paulette, to which I adverted on a former occasion, they also held them as an inheritance transmissible to their descendants. The Paulette, as I then stated, was a royal ordinance, which imposed an annual tax on the stipend of every judge. It was usually passed for a term of nine years only. If the judge died during that term, his heir was entitled to succeed to the vacant office. But if the death of the judge happened when the Paulette was not in force, his heir had no such right. Consequently, the renewal of the tax was always welcome to the stipendiary counselors of the sovereign courts; and, by refusing or delaying to renew it, the king could always exercise a powerful influence over them.

In April, 1647, the Paulette had expired, and the queen-

mother proposed the revival of it. But, to relieve the necessities of the treasury, she also proposed to increase the annual per centage which it imposed on the stipends of the counselors of the Chamber "des Comptes," of the Cour des Aides, and of the Grand Conseil. To concert measures of resistance to the contemplated innovation, those counselors held a meeting in the Great Hall of St. Louis; and at their request the Parliament, though not personally and directly interested in the change, joined their assembly. It was a union too formidable to be needlessly encountered by the royal power; and, to escape such a conflict, the queen informed them that such was the profound attachment of the king, her son, for the judges of his four sovereign courts, that he would not only withdraw his proposal for an increase in the rate of the annual tax on their stipends, but would even graciously relieve them from that burden altogether.

There is a time and a place for all things, and, among the rest, for irony, but never in the speeches of kings. Exasperated by the threatened loss of the heritable tenure of their offices, and still more offended by the sarcastic terms in which that menace was conveyed, the judges assembled in the hall of St. Louis with increased zeal, and harangued there with yet more indignant eloquence. Four different times the queen interdicted their meetings, and four different times they answered her by renewed resolutions for the continuance of them. She threatened severe punishments, and they replied by remonstrances. A direct collision of authority had thus occurred, and it behooved either party to look well to their steps.

Of that necessity Anne of Austria was at length profoundly sensible. She had all the firmness of her race, but she regarded with reasonable alarm the results of such a controversy, and attempted to propitiate, by conciliatory language, the formidable power to which her menaces had been addressed in vain. But the associated magistrates derived new boldness from the lowered tone and apparent fears of the government. Soaring at once above the humble topic on which they had hitherto been engaged into the region of general politics, they passed at a step from the question of the Paulette to a review of all the public grievances under which their fellow-subjects were laboring. After having wrought during four successive

days in this inexhaustible mine of eloquence, they at length, on the 30th of June, 1648, commenced the adoption of a series of resolutions, which, by the 24th of July, had amounted in number to twenty-seven, and which may be said to have laid the basis of a constitutional revolution. Among other things, they demanded that the offices of intendants in the various provinces should be abolished; that a fourth of the tailles should be revoked; that a chamber of justice should be established for the trial of the officers of finance for their malversations; that various guarantees should be established for securing the privileges and jurisdictions of the sovereign courts; that no subject of the king should be detained in prison during more than twenty-four hours, without being interrogated and transferred to his natural judges; that all imposts levied under ordinances not registered in Parliament should be discontinued on pain of death; and that the gross amount of all imposts should be paid immediately into the treasury, without any deduction on account of advances made to the king.

Important as these resolutions were in themselves, they were still more important as the assertion, by the associated magistrates, of the right to originate laws affecting all the general interests of the commonwealth. In fact, a new power in the state had suddenly sprung into existence. It possessed a strong, and, at that time, an exclusive hold on the popular favor. The authority it assumed was defined by no ascertained rules, and was limited by no established precedents or maxims. There were, therefore, no assignable bounds to their possible usurpations. But that was an age in which the minds of men, in every part of Europe, had been rudely awakened to the extent to which the unconstitutional encroachments of popular bodies might be carried. Charles I. was at that time a prisoner in the hands of the English Parliament. Louis XIV. was a boy, unripe for an encounter with any similar antagonists. His court was distracted by hostile factions, and a ceaseless war was daily exhausting the resources of his government. The queen-mother, therefore, resolved to spare no concessions by which the disaffected magistracy might be conciliated. D'Emery was sacrificed to their displeasure; the renewal of the Paulette on its ancient terms was offered to them; some of the grievances of which they complained were immediately

redressed; and the young king appeared before them in person, to promise his assent to their other demands. In return, he stipulated only for the cessation of their combined meetings, and for their desisting from the farther promulgation of arrêts, to which they ascribed the force and authority of law.

But the authors of this hasty revolution were no longer masters of the spirits whom they had summoned to their aid. They had to choose between a hazardous advance and a still more hazardous retreat. With increasing audacity, therefore, they persevered in defying the royal power, and in requiring from all Frenchmen implicit submission to their own. Advancing from one step to another, they adopted, on the 28th of August, 1648, an arrêt in direct conflict with a recent proclamation of the king, and ordered the prosecution of three persons for the offense of presuming to lend him money. At that moment their debates were interrupted by shouts and discharges of cannon, announcing the great victory of Condé at Lens. During the four following days, religious festivals and public rejoicings suspended their sittings. But in those four days, the court had arranged their measures for a coup d'état. As the Parliament retired from Nôtre Dame, where they had attended at a solemn thanksgiving for the triumph of the arms of France, they observed that the soldiery still stood to the posts which, in honor of that ceremonial, had been assigned to them in different quarters of the city. Under the protection of that force, one of the presidents of the Chamber "des Enquêtes," and De Broussel, the chief of the parliamentary agitators, were arrested and consigned to different prisons, while three of their colleagues were exiled to remote distances from the capital.

At the tidings of this violence, the Parisian populace were seized with a characteristic paroxysm of fury. As by some magical impulse, they at once fell into ranks, as if they had been so many bands of a well-organized army. They elected commanders, threw up barricades, and stationed garrisons at every vulnerable point of attack or defense. In less than three hours, Paris had become an intrenched camp. In the centre was the Palais de Justice, the strong-hold of the Parliament; and at the extremity, the Palais Royal, the fortress of the queen. No effectual resistance to the enraged but well-dis-

ciplined multitude was, however, possible. They dictated their own terms. The exiles were recalled, and the prisoners released. Peals of bells from every steeple, acclamations from every mouth, repeated salvos from twenty thousand muskets, greeted their return; and then, at the bidding of the Parliament, the people laid aside their weapons, threw down the barricades, re-opened their shops, and resumed the common business of life as quietly as if nothing had occurred to interrupt the tranquil course of their ordinary existence.

It was, however, a short-lived triumph. The queen, her son, and Mazarin effected their escape to St. Germain's; and there, by the mediation of Condé, and of Gaston, duke of Orleans, the uncle of the king, a peace was negotiated. The treaty of St. Germain's was regarded by the court with shame, and by the Parliament with exultation. But when, according to the terms of it, the royal family had resumed their residence at Paris, the four sovereign courts entered upon new and angry debates on the final acceptance of that arrangement. Each of them fastened on some different provisions of the treaty, and each demanded numerous and irreconcilable amendments of them. But they had now to deal with a new and a much more formidable antagonist. Condé was a great soldier, but an unskillful and impatient peace-maker. By his advice and aid, the queen-mother and the king once more retired to St. Germain's, and commanded the immediate adjournment of the Parliament from Paris to Montargis. To their remonstrances against that order they could obtain no answer, except that if their obedience to it should be any longer deferred, an army of twenty-five thousand men would immediately lay siege to the city.

War was thus declared; but never did war assume a less imposing aspect. At the Hôtel de Ville, the head-quarters of the parliamentary forces, a joyous troop of plumed and silken nobles, and a still gayer array of high-born ladies, were permitted to usurp, not only the defense of Paris, but the conduct of public affairs. The fascinated multitude welcomed these aristocratic allies with loud applauses, and even the long-robed magistrates themselves were compelled to confess and to bow to their supremacy. Those grandees had, however, plunged into rebellion on no principle at all, and from no assignable

motives. Some had been seduced into it by mere idleness—some by conceit—others by offended self-love—and not a few by the allurement of wanton paramours; and while Condé was drawing his veteran troops round the walls, the gallant lords and ladies within them were caballing, intriguing, dancing, and reveling with an equal contempt of their own reputation, of the common safety, and of those high political interests which had drawn their plebeian associates into this hazardous contest with their king.

The catastrophe was worthy of such beginnings. With an undissembled contempt both for his learned and for his fashionable adversaries, the conqueror of Rocroi scarcely condescended to put forth his military skill or resources against them. Nor was it necessary; for, at the first keen blast of real war, the belligerent propensities both of the Palais de Justice and of the Hôtel de Ville drooped and faded away. An onslaught by Condé on one of their outposts at Charenton was followed, within a month, first by an offer to treat for peace, and then by the actual acceptance of the treaty of Ruel. It was, however, neither a dastardly nor an unwise concession. Gallant as were the spirits of many of the insurgent magistrates, their position was one from which the bravest and the wisest might have rejoiced to retire. The post which brought the tidings of the attack on Charenton brought also the intelligence of the execution of Charles I.; and the melancholy issue of the revolt of the Parliament in England sounded as a dismal omen in the ears of the Parliament of Paris. Besieged as they then were by the greatest warrior of the age, they had been superseded in the defense of the city, at the bidding of the fickle multitude, by a troop of holiday courtiers. Entertaining no ultimate views but such as the most loyal Frenchman might cherish and avow, they were shocked to learn that their lordly associates were far advanced in a treaty for introducing into the land as their allies the generals and the troops of the King of Spain, who was at that time engaged in an open war with their lawful sovereign; and, to complete their distress, they were nearly at the same moment informed that the queen-mother had just issued letters patent for the convocation of the States-General, in whose presence their own usurped authority must fade away, and their own persons shrink into insignificance and disesteem.

The treaty of Ruel was, therefore, not so much a choice as a necessity. It was, however, a great epoch. It was the close of the constitutional, and the commencement of the romantic history of the Fronde; and such of the occurrences of that war as lie beyond it are, therefore, not within the limits of the inquiry which I have at present proposed to myself. Yet I am unwilling to pass over so curious a passage in the annals of France as that which is variously called either the second Fronde or the War of Princes, without at least indicating what are the best sources from which authentic information respecting it may be derived.

The whole contest, whether constitutional or military, has recently been narrated by M. de St. Aulaire and by M. Bazin, in works entitled to no mean rank among those in which modern historians have emulated the skill and surpassed the wisdom of the great historical artists of antiquity. Of such compendious and philosophical abridgments of the records of past ages, many have earned high admiration, and are justly entitled to it. The great authors of that class have given the most exquisite examples of the power of selecting, grouping, and harmonizing events. They have drawn many graphic portraitures of human character; and they have supplied us with many luminous statements and profound solutions of the social and political problems of former times, and with many an analysis of remote occurrences, around which, as a nucleus, the student may accumulate whatever additional knowledge his own researches may bring to the more complete illustration of them. Some of you may perhaps, however, remember how, in one of his graceful flights over the surface of things, Charles Lamb had the courage to place all such histories in *his* Index Expurgatorius of "books impossible to be read;" and although the papal decrees of that most elegant of triflers may not command our absolute submission, yet the more any man descends below the surface over which he fluttered, the more, I think, will he so far agree with him as to place such books among those with which it is "impossible to be satisfied;" for, indisputable as may be the duty, and great as may be the pleasure, of studying Guicciardini and Davila, Voltaire and Sismondi, Hume and Gibbon, who ever yet closed them without some distaste for such learned epitomes, and for the

makers of them? In the dusty fields of ancient chronicles, and even in the flower-beds of some historical romances, may be gathered a more vivid, and perhaps a more just, conception of the ages which have passed away, than can be gleaned from any of those scientific and eloquent narratives. The student of the elaborate histories of the Fronde will therefore, in my judgment, do well to cultivate the acquaintance of the great memoir writers among the Frondeurs. Such, however, is their number, that I can at present pause to notice a few only of the most considerable.

Foremost in importance, in variety, and in genius, and therefore foremost in fame, are the Memoirs of John Francis Paul de Gondi, Archbishop of Paris and Cardinal de Retz. It might pass for a species of impiety to say of so eminent an ecclesiastic that he was a debauchee, a liar, and a knave, if the cardinal himself had not taken the utmost pains to demonstrate that such were the habits, and such even the boast, of his life. He laid suicidal hands on his own character with an obliquity of moral vision unrivaled, perhaps, except by Jean Jacques Rousseau; and yet, in a letter of Rousseau himself, may be read the following estimate of the merits of his fellow-suicide. "I have," he says, "read the Memoirs of De Retz from end to end. It is a Salmagundy of all things good and bad. The first volume abounds with touches of great beauty, and with many weighty reflections apropos to trifles. The other volumes are little better than so much verbiage apropos to things of great importance. But what amazes me is to see a man of rank and of mature age—a priest, an archbishop, and a cardinal—exhibiting himself as a duelist, as living in concubinage, and, worst of all, as a deliberate hypocrite, secluding himself in a religious retirement that he may appear as an honest man in the eyes of the world, and as a rogue in the sight of his Maker."

Hard words these, but scarcely more hard than true! Nor is the explanation of this strange moral phenomenon either doubtful or recondite. Excepting only his severe and eloquent censor, De Retz was the most eminent and zealous of all the high-priests who have at different times devoted themselves to the worship of vanity. At her shrine he was prompt to immolate every thing—his friends, his country, his religion; and

even his reputation for decorum, integrity, and truth. To satiate his thirst for applause on any terms, he became the great teacher and example, to his own and to future ages, of sedition reduced into a science. With all the sententious gravity of a philosopher, he instructs us how the people may be deceived and how they may be agitated; how advantage may be taken of the infirmities of the rulers of mankind; and how even their virtues may be made the instruments of their destruction. Le Gendre, the Terrorist, said well of the cardinal's Memoirs that they were a breviary of revolution. He was not, however, wholly exempt from ambition in its more vulgar forms. The first great object of his life was to be gazed at and talked about. The second was to obtain the red hat of a cardinal; and he did obtain it by a series of treacheries and falsehoods which would have been more fitly rewarded by a seat in the galleys than by a seat in the Roman conclave. And yet, strange and contradictory as it may at first sound, De Retz is a writer from whom much valuable and even trustworthy information is to be obtained. Although no credit be due to one word he says with a view of magnifying his own importance, and although he suppresses all facts hostile to his claims to be the projector of every cabal, the chief agent in every intrigue, and the most daring adventurer in every enterprise, yet his self-portraiture, and his delineations of the great actors who trod the stage with him, bear the most vivid impress of truth in substance, however much exaggerated or discolored in the details. So graphic and self-consistent are his innumerable portraits, and so carefully are they wrought out in all their minutest features, that the most exalted genius could never have produced them if they had not been close copies of living originals. With all his faults, he places his reader in the very centre of that strange society, and throws a clear light on the character of every member of it, and on the nature of all the transactions in which they were engaged. The book is, besides, one of the best, as it is one of the earliest, examples of the force, the freedom, and the finesse of the French language. It has all the ease and vivacity of a sustained conversation, or rather of a story told by the most animated of conversers to a group of admiring associates. Never, indeed, was genius more perverted; but, even in its perversion, it is genius still.

Inferior in interest only to those of De Retz, La Rochefoucauld also has left to the world his memoirs of the wars of the Fronde, in which he largely participated. After a youth of strange and audacious adventures, he engaged in that controversy, partly, as it would seem, from the mere love of hazard, and partly from a guilty attachment to the Duchesse de Longueville. In her service he sported with his fortune, his reputation, and his life, and devoted his great literary powers to the single object of making Mazarin ridiculous. But, at the mature age of forty-two, he at length retired from these turbulent scenes to become the centre of the fashionable and the literary society of Paris; and, at the same time, to meditate and to write. He accordingly produced the two books on which his reputation has ever since depended, his Memoirs and his Maxims. Of his Memoirs, Bayle has said that "he could not believe any lover of antiquity to be so prejudiced as to deny their superiority to those of Cæsar." His Maxims may be considered as the philosophical retrospect of the experience acquired in the calenture of his youth, and, therefore, as the most impressive of all illustrations of the guilt, the baseness, and the folly of the Fronde. "There is," says Voltaire, "in the whole book, nothing but this solitary thought—that self-love is the single motive of all our actions; but that one thought," he adds, "is presented to us under such a variety of aspects as never to lose its interest." The Maxims of La Rochefoucauld are in fact nothing else than the immature and dispersed germs of that philosophy of selfishness which ripened into the "Fable of the Bees" under the fostering care of Mandeville, and which were then crushed forever by the giant arm of Joseph Butler.

In beautiful contrast with the Memoirs of De Retz and of La Rochefoucauld are those of Madame de Motteville. She was one of the ladies of the household of Anne of Austria, and in that position enjoyed a broader survey of the surface of affairs during the civil wars than any other of the writers who have undertaken to describe them. Her curiosity was as active as her opportunities were ample; and though she wrote as a partisan of the royal cause, she was at least as impartial as any other of the chroniclers of those times. But she excels them all in warmth of heart and singleness of purpose, and in

her abundance and variety of interesting anecdotes. She loved and admired her royal mistress cordially. She had no apparent wish to suppress or to exaggerate the truth; and she is, above all things, free from the selfishness which De Retz avowed as the guide of his life, and La Rochefoucauld as the principle of his philosophy. Madame de Motteville was a true woman; a woman so profoundly interested in the happiness, the troubles, and the reputation of her friends, as never to waste a thought upon her own; and to that generous self-forgetfulness she is really indebted for an authority to which the narrow-souled genius of her great rivals has never been able to elevate either of them.

Yet she was not the most eminent of the women who rose to distinction among the contemporary writers of Memoirs of the Fronde. The Duchesse de Montpensier surpassed Madame de Motteville as much in the marvels of her life as she fell below her in the disinterestedness of her spirit. At the close of the siege of Bordeaux she became the popular heroine of the day. At the head of a troop of courtly damsels she fairly broke down one of the gates of Orleans; and, like another Joan of Arc, marched in triumph into the beleaguered city. Entering the Bastile while the cannon of Turenne were thundering upon its walls, she turned the guns of the fortress against that great captain, and, after repulsing him to St. Denys, rescued the shattered remains of the forces of Condé. And then, braving a Parisian mob in the height of its savage fury, she penetrated to the Hôtel de Ville, and, at the imminent hazard of her own life, saved the magistrates, the ecclesiastics, and the citizens there from the assassins by whom they were surrounded. And yet, if you read the Memoirs of this Penthesilea, you will find that, during the wars of the Fronde, and for many a year before and after, the real question depending in the wide realm of France was not whether the Parliament or the queen-mother, whether Condé or Turenne, whether the French or the Spanish arms should prevail, but how a husband should be found worthy of the hand of Mademoiselle la Duchesse de Montpensier!—a question to which an ungrateful generation was never able to return any satisfactory answer.

It was, indeed, an age in which both the heroes and the heroines of French history exhibited themselves to the wonder-

ing world in characters of the most fantastic extravagance. There were, for example, to be seen the First President and Chancellor Matthieu Molé, who, after long years of humble subserviency to the despotic Richelieu, was now rising to the most sublime heights of moral courage and of patriotic self-devotion; and Gaston, duke of Orleans, thrust by his rank into the foremost place of responsibility and honor, but invariably becoming sick and taking to his bed at the near approach of danger—at once the only great speaker and the only real coward of the house of Bourbon; and Turenne, all grave, decorous, and dutiful as he was, engaging in a traitorous league with Spain against his king for love of the unhappy Duchesse de Longueville; and the great Condé, the Napoleon of his age, year after year leading Spanish armies against his country and his sovereign, from no one conceivable motive except the mere wantonness of vindictive pride, and a puerile passion for mischievous activity; and the Duke de Beaufort, the illegitimate grandson of Henry IV., but better known as Le Roi des Halles, at one time playing at tennis in the midst of thousands of enthusiastic Poissardes, at another rejecting, from admirers of the same class, a proffered pension of 60,000 livres; now upsetting a public supper-table, at which a crowd of royal partisans were making merry, and then killing his own brother-in-law in a preposterous duel; but, under his continually shifting forms of extravagance, remaining still the cherished, or, rather, the idolized demagogue of the proletaires of Paris; and Broussel, who, at the age of seventy-two, for the first time attracted to himself, and never afterward lost, a large share in the same mob-worship; and the Duchesse de Longueville, impelled by vanity and ennui into rebellion to her king, treason to her country, and infidelity to her husband, until at length a penitential retirement at Port Royal rescued her from the intoxicating grandeurs, and cares, and pleasures of the world; and the queen-mother, with all the majestic composure and inflexibility of her race, triumphing in the protracted struggle with the enemies of her viceregal throne, though not equally victorious over the frailties of her own heart, and the irascibility of her own temper; and Mazarin, twice banished, and twice returning from banishment to France, and there alien, and tortuous, and irresolute, and rapacious as he was, retain-

ing to his latest breath an absolute dominion over the high-spirited people who, during four successive years, had exhausted against him all the quivers of ridicule, invective, and popular indignation; and in that strange scene was also conspicuous the young Louis XIV., contemplating, with premature thoughtfulness, the events and the personages amid which he was growing up to manhood, and from that contemplation imbibing an unmitigable hatred of the institutions, and distrust of the cause, for the advancement of which his kingdom had been so long abandoned to misrule and violence.

Yet, if the wars of the Fronde had terminated with the treaty of Ruel, Louis XIV. might perhaps have drawn from them some deeper and more salutary lessons than these. It was till that era a contest from the character and the conduct of which much practical wisdom might have been gathered.

The Fronde commenced in the spirit of reaction against the absolute dictatorship of Richelieu. But that spirit was at first timid, hesitating, and narrow. Omer Talon, who, as we have seen, had persuaded himself, at the end of the fifth year of the regency, that a great and universal calm had at length been established, had the integrity to acknowledge that the judicial company of which he was so great an ornament were provoked into the disturbance of that calm by no more elevated motive than the desire to perpetuate their own offices in their own families. If Anne of Austria had not proposed to abolish the Paulette, the Parliament would not have roused the people of Paris and of France to a rebellion against her. It is, however, a very curious and instructive fact, that the other contemporary historians of the Fronde (De Retz among the number) carefully concealed this important truth. It lay unheeded in the uninviting pages of Talon, and unnoticed by subsequent writers, until very recent students, by referring to the original journals of the Parliament, brought to light this dishonest misquotation of them.

When, however, though from motives thus mercenary, the signal of opposition to the government had been given by the combination against it of the four sovereign courts of Paris, a great though incongruous multitude flocked to the standard of revolt. Among them the foremost and the loudest were, of course, those who were enduring palpable wrongs, and smart-

ing beneath real and weighty grievances. These were the Roturiers, who were overwhelmed by the intolerable burdens which the protracted war with the house of Austria and the prodigality of the court had laid upon them. Then followed the Noblesse, resenting the overthrow of their ancient predominance; and the citizens of the more considerable towns of France, lamenting the subversion of their municipal privileges; and to them were added a multitude of the Tiers Etât, who regretted the loss of the franchises which they and their fathers had enjoyed in the States-General and in the election of deputies to serve in that assembly. Not a few also swelled the clamor with imaginations heated by the example so lately given in England of a successful resistance to the royal authority. Classical students again were there with bewitching pictures, then first made universally known, of the Athenian and Roman liberties. And there were not wanting statesmen of large views, who, partaking in the progress of thought by which that age was distinguished, had learned, and were desirous to teach, that national freedom can never pass out of a name into a reality until it shall have been guaranteed, not by positive laws merely, but by the unassailable bulwarks of free popular institutions. On every side was therefore heard the cry of long-suppressed opinions, of newly-awakened passions, of secular interests, and of religious convictions. On every side was also invoked the sympathy and the support of the power which had so suddenly, but so resolutely, ventured to confront the throne, and to challenge its absolute supremacy.

The combined courts were thus hurried onward by an irresistible external influence into a revolt aiming at nothing less than the creation of a new system, and of new principles of government. Nor may we condemn with much severity this attempted usurpation. Richelieu and Mazarin had long governed France with an utter oblivion of the interests of the great body of the French people. The policy common to them both was nothing more than the depression of the house of Austria, in order that the house of Bourbon might be elevated to a power which should be at once supreme abroad and absolute at home. I will not venture to deny that an enlightened and far-sighted patriotism might at that time have pursued these objects with all the energy of the first cardinal, and all

the subtlety of the other. But to pursue them, as they did, not as a means, but as an end; not as the means of rendering France prosperous, but as an end in which the rulers of France were to find the grandeur and the glory of their race, was as narrow and as unworthy a consummation as was ever proposed to themselves by men of genius in the government of a mighty nation. The antagonists of such a system may well expect pardon for some violations of law and even of justice in their efforts for the subversion of it.

Nor was the revolt of the associated magistrates conducted in a feeble or temporizing spirit. Their arrêt, or twenty-seven articles of the 30th of June, 1648, amounted to nothing less than the imposition on the crown of a new charter of government. Their traditional right of remonstrance against royal enactments was alleged by them merely as a shadow and a pretext. The substantial attempt and purpose was to wrest altogether from the king the powers of legislation, of arbitrary taxation, and of arbitrary imprisonments. "Henceforth," so ran the arrêt, "there shall be imposed no taxes except in virtue of edicts and declarations well and duly verified by the sovereign courts with full liberty of suffrage. No subject of the king," it is added, "of whatever quality or condition, may be kept in prison for more than twenty-four hours without being interrogated according to the ordinances, and transferred to his natural judge." And to secure to themselves the permanent and undivided power of watching over the execution of these resolves, the same arrêt claimed for the sovereign courts a veto on the creation of any new offices which might supersede or emulate their own.

Nor were these the pretensions of wordy and irresolute agitators only. To carry them into effect, the magistrates employed, if they did not promote, the insurrection and the barricades of Paris. They levied troops, appointed generals, raised funds for the conduct of the war, closed the gates of Paris against the king, and negotiated a federative union with all the cities and Parliaments of France; nor did they at last lay down their arms until both at St. Germain's and at Ruel they had obtained from the king treaties which were at least supposed to affirm the entire substance of their insurrectionary demands. And yet, in fact, not one effective step was made

in the wars of the Fronde toward the conquest of constitutional freedom; but, on the contrary, that struggle had the effect of delivering over the kingdom to a power more absolute and irresponsible than had ever before exercised the supreme authority in France. It remains to inquire, What were the causes, and what the explanation, of this disappointment?

First, then, the claims of the associated magistrates were, in strictness of law, a mere usurpation. The four sovereign courts of Paris were so many judicial tribunals, but throughout these proceedings they were acting in direct and unequivocal defiance of the law which it was their appropriate duty to enforce. Even if the right of insurrection could be allowed to possess all the sanctity ascribed to it in a later age, it may be supposed that neither Danton, nor Marat himself, would have held the exercise of it sacred except when undertaken by the sovereign people. Those eminent doctors of the science of revolution would probably have repudiated, as unjustifiable, a rebellion planned and conducted by a convention of long-robed counselors and presidents à mortier. This incongruity between the appropriate office and the actual employment of the Parisian magistracy threw a constant discredit on their enterprises, and embarrassed all their revolutionary movements.

Secondly. Not only were the characters of judge and demagogue inherently incompatible, but the counselors of the Parliament labored under many accidental and personal disqualifications for the conduct of the popular cause. In that as in every other era of French history, the great questions and real difficulties of the government were financial. Richelieu and Mazarin had crushed the whole rural population beneath intolerable imposts. The tailles, the corvées, and the gabelle had reduced them to the last extremities of want and misery. "Ten years have now elapsed," said Talon, in one of his speeches to Louis XIV., "since the country was absolutely ruined, since the peasants were reduced to sleep on the straw, and all their goods seized in satisfaction of the demands of the treasury. To maintain the luxury of Paris, millions of unoffending people are compelled to live on bread made of bran and oats. They have no protection excepting their utter wretchedness. Their souls alone are left to them,and that only because *they* can not be put up to auction." Never was indignation more eloquent or more

just. Yet the very magistrates, in whose name Talon thus spoke, were at that very moment contending, with still greater zeal, and with all the characteristic ingenuity of their profession, against the single equitable tax which the court had ever proposed to establish. It was the octroi, or duty on provisions brought into Paris and the other great cities; and unmeasured were the invectives with which, in the very midst of the general ruin, the magistrates denounced the injustice of taxing any articles consumed by themselves and their wealthy fellow-citizens. No men could be more ignorant of the great, though melancholy science of taxation; none more heedless of maintaining even the semblance of disinterestedness; and none, therefore, could be less qualified for the critical office of tribunes of the people.

Thirdly. Though great *municipal* lawyers, the associated magistrates had no proficiency even in the elements of *constitutional* law. On the 24th of October, 1648, the crown had assented to what may be called their habeas corpus law. On the 18th of January, 1650, that is, less than fifteen months afterward, that law was flagrantly violated in the persons of the Dukes of Condé, Conti, and Longueville. But when the mother of Condé invoked the recent enactment in favor of her son, the Parliament refused to interfere, alleging that, as no member of the royal house was amenable to their authority, so neither could any such person be entitled to their protection. They might have alleged, with much greater truth, that the illegal imprisonment of the princes had been secretly sanctioned by themselves. A body thus ignorant or heedless of the elementary truth, that the infringement of the rights of any one member of society, however low or however high, is an injury to all the rest, were but ill prepared to assume the character of constitutional vindicators of the national liberties.

Fourthly. It is seldom given to individual men to emancipate their minds from bondage to the prejudices of their profession. To professional assemblages that freedom of mind is always unknown and unattainable. Whether they deliberated on the affairs of the commonwealth, or projected political measures, or made war, or entered into treaties, the counselors of the Parliament still wrapped themselves up in their long robes, their legal fictions, and their judicial subtleties. Never were

a party in the state so destitute of the power of taking the straight path toward their end, or of using simple words to express their real meaning. For example, the twenty-seven articles of their confederation of the 30th of June, 1648; the treaty of St. Germain of September in the same year; and the treaty of Ruel of March, 1649, form the three pivots of their whole policy. And yet it may well be doubted whether those great constitutional acts, when read and collated together, would at this day convey to any man, uninformed of the history of those times, any definite meaning whatever. Thus the great principle that no prisoner should be confined during twenty-four hours without being interrogated and transferred to his natural judges, though plainly enough stated in the articles of June, 1648, is laid down in the treaty of St. Germain in words selected by the Parliament themselves, which words are as follows: "No subject of the king shall hereafter be prosecuted as a criminal, except according to the forms prescribed by the laws and ordinances of the kingdom; and the ordinance of King Louis XI., of October, 1467, shall be observed according to its form and tenor." The lawyers who put together these words might see in them a perfect assent to their corresponding article of June, 1648, and a perfect security for the liberty of the subject; for they were so many hierophants who could not abide a plain-spoken oracle. They preferred a riddle, of which the key was in their own keeping, to any words which had the inconvenience of being universally intelligible. But never yet was a free constitution erected on legal enigmas, or built up by the labors of schoolmen. They who would govern the world must condescend to make use of the world's language. The articles of June, 1648, were plain enough, but they were invalid except in so far as they were ratified by the treaties. Now the treaty of St. Germain said nothing distinctly, and the treaty of Ruel said absolutely nothing at all respecting the great constitutional questions which those articles had been designed to regulate.

Fifthly. If the pretensions of the Parliament had been really successful, the effect must have been to supersede the authority of the States-General, and to break up the kingdom of France into a system of confederated states or governments, as numerous as the sovereign courts or Parliaments of the realm.

All good Frenchmen deprecated such a result; and the obvious tendency of the measures of the associated magistrates to produce it, greatly impaired their influence with that great but tranquil majority, who will always prefer the permanent welfare of their country to the triumph of the agitators of the passing day.

Sixthly. There was also in France, at that time, a multitude of persons who contemplated with alarm the seeming propensity of the French Parliament to imitate the revolutionary example of the Parliament of England. The monarchy of a thousand years was still dear and venerable to most of those who had grown up beneath its shelter, and the supposed enemies of it were regarded by them with alarm and jealousy.

Seventhly. To men accustomed to reflect, the success of the Parliament held out the unwelcome prospect of the introduction of a polity never before heard of in the world, and hardly to be reconciled with the maxims which had been received among men as fundamental on the subject of civil government. It would have been a fusion of all legislative, administrative, and judicial powers; a combination of them all, in the hands of men trained to the study and practice of the law, and forming a kind of hereditary caste, neither selected by the people, nor chosen from among the ancient aristocracy, nor appointed by the crown. An oligarchy in any form was sufficiently formidable to Frenchmen; but, from an oligarchy of lawyers, they could anticipate nothing which any class of society could regard either with respect, or confidence, or attachment.

Eighthly. The failure of the associated magistracy to accomplish the purposes of their union is also to be ascribed to the coincidence of the religious with the political division of parties. The Jansenists were Parliamentarians, and the Jesuits Royalists. As in England, the Independents and the Episcopalians selected their positions in the state according to their relations to the Church, so in France, the innovators in the ecclesiastical society were also promoters of changes in the commonwealth. And hence it happened that all the more zealous adherents of sacerdotal power were, in either country, the devoted supporters of the monarchical authority. It was in no small degree by their aid that Louis XIV. finally tri-

umphed over both the first and the second Frondeurs, and to these early recollections must be ascribed no small part of the animosity with which, at a later period, he regarded and persecuted the family of Arnauld, and the whole body of their proselytes at Port Royal.

Ninthly. But of all the causes which contributed to neutralize and defeat the efforts of the Fronde to reform the French government, none was so effectual as the alliance into which the Frondeurs were forced with their aristocratic associates, and especially with the family of Condé. That association rapidly destroyed whatever was popular, and generous, and patriotic in the movement of the Reformers. It rendered the cause and the interests of the people at large subservient to the selfish objects of the Noblesse. They were the too faithful successors and representatives of the old feudal seigneurs. In their hands, the contest wholly changed its character and its purposes. It degenerated from a high principle into a paltry fashion. It was rendered ludicrous by the follies of the courtly ladies, who assumed so conspicuous a share in the direction of it, and hateful by the traitorous alliance into which the Frondeurs were drawn with the foreign enemies and invaders of the kingdom.

And, finally, while France was desolated by this civil war, and was witnessing the decline of the influence of the authors of it, the young king was growing up to manhood, adorned with every kingly grace, and attracting universal admiration by his real, and still more by his supposed talents and capacity for government. So rapid and complete was the growth of his personal authority, that, before he had completed his twentieth year, the astonished and now subdued Parliament saw him appear in his riding-dress among them, to command the acceptance of his edicts, in language and in a tone which Commodus would not have hazarded with his abject senators. The Fronde had been a reaction against the dictatorship of Richelieu. The reign of Louis XIV. was a still more complete and protracted reaction against the ill-conceived and ill-conducted efforts of the Fronde, to substitute a free for an absolute government in France.

March 2. 1865.

LECTURE XXII.

ON THE ABSOLUTE MONARCHY AS ADMINISTERED BY COLBERT AND LOUVOIS.

The administration of Cardinal Mazarin, so far as it has a conspicuous place in the history of the civil government of France, begins and closes with the wars of the Fronde. His name, once so sacred to obloquy that a Mazarinade and a satirical libel had become convertible terms in the French language, has, since his death, and especially of late years, acquired a perpetually-increasing lustre; for in that enthusiastic land there is no offense which will not be pardoned, no applause which will not be given, to any one whose fortune it has been to augment the sum of what is there considered as the national glory. And although Mazarin long protracted an unnecessary war—though he plunged the state into an abyss of financial difficulties—though in the midst of the public distress he accumulated a fortune which would be inadequately represented at the present day by sixteen millions of pounds sterling—though his government was signalized by no one measure of legislative or administrative wisdom—though he was insincere and timid, and (to the utmost of his faint daring) an oppressor, yet we can not deny him the praise of having adopted both the foreign and domestic policy of Richelieu in the true spirit of that unscrupulous dictator. In the wars of the Fronde he played the patrician and the plebeian orders against each other to the common depression of them both; and by the treaty of the Pyrenees he accomplished that matrimonial alliance, which laid the basis of the long subjection of the monarchy of Spain to the crown of France. At length, on the 9th of March, 1661, he died, leaving in the hands of the youthful Louis XIV. a power more absolute than had ever been enjoyed by any of the successors of Charlemagne, with the not unreasonable prospect of transmitting to his own successors a dominion embracing many of the fairer provinces of the Charlovingian empire. Early on the morning of the following day,

the king, having assembled his council, addressed them in the following words: "I have called you together to say, that though hitherto I have been well satisfied that my government should be conducted by the late cardinal, I intend henceforward to govern in my own person. You will assist me with your advice whenever I shall demand it." From that hour to his last, Louis XIV. appeared to the world at large, and even to himself, to be the supreme, if not the sole, administrator of the affairs of his kingdom.

He had many royal qualities—a noble presence—manners full of grace and dignity—an elocution at once majestic and seductive—unwearied assiduity in business—a luminous understanding—an instinctive taste for whatever is magnificent in thought or action, and a genuine zeal for the welfare of his people. But for the high office of molding and conducting the policy of the greatest of the nations of the civilized world, he wanted three indispensable gifts: an education so liberal as to have revealed to him the real interests and resources of his kingdom; the faculty by which a true statesman, in the silence of all established precedents, originates measures adapted to the innovations, whether progressive or immediate, of his times; and that dominion over passion and appetite which is the one essential condition of all true mental independence. Without such knowledge, such invention, and such self-control, Louis could not really think, and, therefore, could not really act, for himself.

It was consequently inevitable that the office of thinking and of acting for him should be devolved on some minister; and Jean Baptiste Colbert was, ere long, called to the discharge of that arduous duty. Colbert was the son of a merchant of Rheims, and had held the place of intendant in the household of Mazarin. In that employment he had earned the reputation of great skill and diligence in managing the colossal fortune of his master, and in detecting the frauds by which the officers of the royal revenue had enriched themselves at the public expense. His own integrity was universally acknowledged, but the respect commanded by his talents and his virtue was not a willing nor an affectionate tribute. No man, indeed, could be more unpopular, for no man was more severe, morose, and repulsive, even toward those whom he most de-

sired to conciliate. Hostile as such an origin, such pursuits, and such a demeanor might be to his success with others, it would have been impossible for him to have combined together a greater number of powerful recommendations than these to the favor of the young king. Supported by no family connections or personal attachments, and inured to an obscure and useful drudgery, Colbert seemed of all men the best qualified to render to Louis those humble but effective services, which, while they would relieve himself from the toils incompatible with his kingly state and with his youthful enjoyments, would still leave to him the glory of governing, or of seeming to govern, his vast hereditary possessions. At first, therefore, Colbert was privately consulted by his sovereign on some urgent fiscal questions; then employed in prosecuting Fouquet, the superintendent of finance, whose peculations he had brought to light; then admitted to a seat in the royal council; then intrusted with the subordinate function of intendant of finance; then appointed to superintend the works and buildings of the king; then elevated to the post of controller general; and finally promoted to the office of secretary of state for the marine and the colonies. During each successive step of his upward progress, the harsh and inflexible minister made many enemies and few friends. Yet he was seldom or never betrayed into the fault of an arrogant self-importance. It was, on the contrary, his habit to depreciate his own power and influence—a habit in which he was not improbably sincere, as he certainly was discreet. He habitually spoke and wrote of himself as a mere subaltern, and as unable either to decide on any measure, or to confer any place or advantage except by the express command of his royal master. Charmed with a servant so upright, painstaking, and unobtrusive, and so destitute of political or domestic alliances, the king could not, or would not, perceive that this lowly dependent was in reality becoming his indispensable ruler. Read the instructions of Louis to the Dauphin, and you will conclude that every material act of his government was dictated by himself and executed by Colbert. Read the authentic documents of that age, and you will be convinced that every measure which Louis dictated to Colbert had first been suggested by Colbert to Louis. The power of the magnificent Richelieu was, in effect, revived in the unos-

tentatious Colbert, with the difference that, while Louis XIII. had retreated into obscurity, and had been consigned to his confessor and to his oratory, that way might be made for the haughty cardinal, Louis XIV., both in the cabinet, in the field, on the throne, and in every princely pageant, assumed the imposing majesty of an autocratic sovereign, in whose presence all inferior dignitaries appeared but as so many dependent satellites. The theatrical exhibition was altogether changed; but the plot and characters of the drama were scarcely altered.

Dropping, then, the fiction which ascribes the authorship of all royal acts to the monarch in whose name they are done, I shall consider the reign of Louis XIV., from 1661 to 1672, as really constituting the administration of Jean Baptiste Colbert.

A Protectionist in England and a Colbertiste in France are the same. Yet, in the war against free trade, our neighbors have inscribed on their banners a *nom de guerre* of much greater force and precision than our own. Their Colbert is the very Newton or Linnæus of the science of commercial restriction. The civil government of their country, as administered by him, was a series of crucial experiments on the soundness of the doctrines which that science inculcates. They were tried on the shipping and navigation of France—on her corn trade—on the export of coin—on her foreign commerce—and on her domestic manufactures. Asserting the broad principle that a people laboring under fiscal burdens of unrivaled magnitude could prosper only by such laws, protecting and prohibitory, as would secure to national products a preference in the home market over the similar products of foreign countries, the great economist of that age brought all his large experience, all his preternatural diligence, and all his unlimited power, to animate and sustain the industry of France by protective legislation. What were the nature and what the results of his experiments?

First, then, with regard to the shipping and navigation of France. As early as the thirteenth century, the people of Holland and Zealand, an amphibious, hardy, and frugal race, had engrossed the cod and herring fisheries, and were able to build and to navigate vessels on terms with which no other nation could successfully compete. They became the maritime carriers of Europe. They triumphed over the commercial jealousy

of England, and the restrictive laws of Edward IV. They triumphed still more completely over the tyranny and persecution of Spain, and, while struggling for existence against the victorious arms of Alva and of Alexander Farnese, they rapidly extended their commerce over the eastern and western possessions of Philip II., until at length the treaty of Westphalia guaranteed to them Java and the Moluccas, with all their factories in Ceylon and the continent of India, and the exclusive enjoyment of the spice trade. Such was at that time their prosperity, that, about two years before the death of Mazarin, they possessed between 15,000 and 16,000 sea-going vessels, while France could number at the most from 500 to 600.

To destroy this humiliating superiority, a series of edicts were promulgated by Fouquet, the then superintendent of finance, imposing a duty of fifty sous per ton on every foreign ship entering or quitting any French port. During several successive years the Dutch embassador at Paris exhausted all the resources of diplomatic skill and eloquence in a series of importunate remonstrances against this impost. He might as well have expostulated with the tides against their assaults on the dikes of his native land. Colbert remained inexorable; and, with no substantial change, the discriminating tonnage duty continued in force till long after the end of his administration.

These fiscal hostilities with the Dutch were nearly coincident in point of time with our own Navigation Act, and were far less stringent. Now Adam Smith has applauded the policy of our forefathers in thus effecting the transfer to this country of much of the maritime power of Holland, and has taught that, in order to promote the higher interests of our national strength and safety, the pecuniary sacrifice involved in the compulsory employment of our own more costly shipping was wisely incurred. If, in deference to the authority or to the reasoning of Adam Smith, we may conclude Cromwell to have been right, with what consistency can we also conclude that Colbert was wrong?

The two opinions, however apparently in conflict with each other, may, perhaps, be reconciled by observing first, that the mere pecuniary sacrifice made by England was soon and effectually repaid by the growth of an English commercial navy, far

surpassing that of our Dutch rivals; whereas in France, the Dutch, after the restrictive law against their shipping, still retained the greater part of the French carrying trade, so that the French tonnage duty produced little or no other direct result than that of enhancing the freight of all sea-borne goods. Secondly; the inestimable advantage of national safety, which appeared to Adam Smith to apologize for the unthriftiness of our own law, was not in question in France, and, therefore, did not afford a corresponding defense for the mercantile disadvantages to which the French people were subjected by their attempted disuse of the best and cheapest maritime conveyances. And, thirdly, to England, in the time of the Commonwealth, the friendship or the enmity of Holland seemed to promise or to menace but little, whereas to France the amicable relations which she had maintained with the United Provinces for the last preceding eighty years were of inappreciable value. Yet those relations were suspended by the French tonnage law, and not long after gave place altogether to the wars which, during half a century, consigned both France and Holland to a succession of overwhelming sufferings. In a word, by the abandonment of the great mercantile principle, that the cheapest service is the best, Cromwell reaped great gain and little loss, Colbert reaped great loss and little gain.

Secondly. The trade in corn was subjected by Colbert to experiments of yet more serious importance.

Until the reign of Charles V., France had ever enjoyed a perfect freedom of exporting corn to all other countries. After that period, the right was occasionally suspended by royal ordinances. But Francis I. and Henry IV., and even Louis XIV., under the administration of Mazarin, had fully and emphatically re-established it. In the year 1661, however, France was afflicted with a scarcity which might almost be described as a famine, and, after waging an ineffectual war against it by the usual methods of forbidding accumulations of grain in private hands, and fixing a maximum price of corn, Colbert retained in his mind an indelible impression of the horrors of that fatal season. To prevent their recurrence, he obtained, toward the close of every future harvest, official returns of its probable productiveness. If the crops had been plentiful, he authorized the free exportation of corn for a year, or for a few months, or

weeks, as he judged best. If the supply did not seem to him abundantly adequate to the wants of the people, he imposed a *temporary* export duty of greater or less amount. If he saw cause to anticipate a deficiency, he forbade the exportation altogether.

No man, therefore, could safely engage in the growth of corn in France for sale in any other country; for, however high the prices in the foreign markets might eventually be, as compared with the prices in the French markets, it depended entirely on the future decision of Colbert whether the owners of it should or should not have the power of availing themselves of that advantage. The results of course were, first, that the export of grain from France ceased altogether; secondly, that all the inferior soils were thrown out of cultivation, the superior soils alone being brought under tillage; and, thirdly, that there was a constant risk, and not seldom an actual production, of scarcity, and even of famine. Except in extreme exigencies of that kind, corn could never be sold at any considerable profit to the agriculturist. He was, therefore, condemned to habitual poverty, and his inability to purchase manufactured goods deprived the producers of them of their most important customers. Such, at least, are the consequences which our own economical theories would ascribe to such an interference of the government with the natural course of the corn trade. How far are we able, from any direct evidence, to verify or to disprove those anticipations?

They might be verified from the many still extant reports addressed to Colbert by the intendants of the various provinces of France, and especially by the intendants of Gascony, Poitou, and Dauphiné. But we have a memoir, transmitted by the minister himself to the king in the year 1681, in which the great author of this system thus sums up the result of it: "The most important fact of all," he says, "and that which demands the greatest reflection, is the excessive misery of the people. It is announced in all the letters which reach us from the provinces, whoever may be the writers of them, whether intendants, receivers general, or even bishops." Seventeen years later, Marshal Vauban, whose public spirit was not inferior to his military science, drew up his celebrated account of the state of France, in which he declared that a tenth part

of the whole population were reduced to pauperism; that five other tenth parts of it were so poor as to be unable to contribute any thing to the relief of the destitute; that three other tenth parts were grievously straitened in their circumstances, and oppressed by debt; and that, in the only remaining tenth part, there were not ten thousand families in perfectly easy circumstances. That Colbert sincerely desired, and ardently pursued, the welfare of the kingdom which he governed, no one has ever questioned. But it may well be doubted whether any degree of apathy or negligence was ever so fatal in its results as was his ceaseless solicitude to interfere in every thing, and to manage every thing. Happy would it have been for France if her indefatigable minister had learned, like an eminent statesman of later times, to divide his official business into three equal parts, of which the first was not worth the doing, the second did itself, and the third was quite enough for any man to attempt.

Thirdly. Regarding the trade in gold and silver money, Colbert, adopting the opinions of his age, proclaimed and acted on the maxim that the wealth of a nation is to be measured, at any given moment, by the quantity of such coin which it may happen to possess. It is, I think, no less a person than Voltaire who extols his wisdom in thus preferring the accumulation of imperishable bullion to the exchange of it for articles which must, sooner or later, *wear out*. The less scientific merchants of his day represented to Colbert that the rigor with which he prevented or punished the exportation of the precious metals was rendering them of less value in France than in other countries; and added that, if the transit of them were unfettered, gold would always be attracted to France from every part of the world in which it bore a lower value. The universal manager of all the affairs of the whole realm had the honesty to record his inability to understand the meaning of this remonstrance; and then, assuming that it had no meaning, he persisted in devoting the whole influence of the government to the hopeful project of causing French produce to be exchanged in all other parts of the world for gold and silver in preference to every other return. Fortunately, the common sense of the merchants was too active for the Laputan science of the statesman. Had it been otherwise, France

would have acquired a vast mass of gold and silver, as useless in her coffers as in its native mines, at the expense of bringing to a close all her commercial intercourse with the other nations of the world, to whom she would have sold every thing, but of whom she would have bought nothing.

Fourthly. To promote that commercial intercourse was, however, the great object of the policy of Colbert. Why, he inquired, should not France participate in the treasures which England and Holland are gathering as each tide floats into their ports vessels from every quarter of the navigable globe? The answer was at hand. The trade of France languished because it was not adequately encouraged by the French government. True, indeed, royal charters had been given to three successive companies trading to the East. But contenting himself by conferring on them a corporate character, the king had omitted to supply them with corporate funds. Let that omission be remedied; let a new French East India Company be instituted, with all the aids and all the protection which the crown can bestow, and Havre and Bordeaux shall soon eclipse the mercantile splendor of Rotterdam and Bristol. So reasoned or so predicted Colbert; and, at his suggestion, Louis XIV. granted to the new association all that royalty can grant: the power of making conquests—dominion over them when made—exclusive privileges of every known extent and variety—bounties on all their exports and imports—a code of laws—an ecclesiastical establishment—and even the right of tolerating any heathens, heretics, and infidels, with whom it might be convenient for them to enter into commercial relations. The royal heralds contributed an escutcheon crowded with palm and olive trees, and encircled by the legend *Florebo quocunque ferar*. Artists of another class circulated such delineations of Madagascar (the seat of the projected government) as might best tempt a Picard or Languedocian to exchange his cold or his arid home for that earthly paradise. Of the required capital of fifteen millions, Louis himself subscribed three. All aspirants for court favor were encouraged, if not required, to imitate the example. Public defaulters were allowed to liquidate their debts to the treasury by taking shares. Even in the great chamber of the Parliament the chancellor appeared as a suitor to the judges for assistance to this great

national undertaking; and those learned persons had to make their reluctant choice between a hazardous speculation and the displeasure of Versailles.

Never was a commercial speculation so dandled into life by nurses of such high degree, and never were such cares more ineffectual. Before ten years had elapsed the company had become irretrievably bankrupt, and the king assumed the possession and control of their establishments on the hard condition of paying off their debts.

Nor was this the only attempt made by Colbert to emulate the achievements of the Dutch and English merchants. In North and Central America, in the West Indies and Africa, and in the Levant, he assigned to three mercantile corporations as many distinct fields in which they were to make the fleurs de lys the emblem of successful trade and of maritime greatness. Nothing was withholden from any of them which the crown could give—neither privileges, nor monopolies, nor bounties, nor exemptions, nor sovereign powers. Yet the author of these schemes lived long enough to witness the failure of them all, and long enough (as it would seem) to discover that royal patronage was a motive-power utterly unable to compete with the energy of individual enterprise.

Still it remained for Colbert to try whether the trade of France might not thrive on the depression, and at the expense, of the trade of all the neighboring states; and that experiment was commenced in the year 1667, by the enactment of such import duties as would virtually prevent the importation of the cloths and other wrought goods of England and of the United Provinces. The new tariff was to deprive the Dutch of a market indispensable to some of the chief branches of their domestic industry; but (so, at least, reasoned the great patron of commerce) it would transfer to the capitalists and workmen of France all the profits and all the wages which their neighbors had been accustomed to earn in the markets of that country. He fell into the common mistake of not looking at the subject in that point of view from which it would be regarded by his antagonists. By imposing a high discriminating duty on French wines in favor of the wines of Germany, Holland had in her hands the means of an effective retaliation; and, after four years had been consumed in unprof-

itable diplomatic remonstrances, those reprisals were at length made by the States-General in the winter of 1670. For thus imitating his own example, and for thus presuming to act on his own principles, Louis, at the suggestion, or at least with the full concurrence, of Colbert, punished the United Provinces by an invasion at the head of 130,000 men, under the immediate command of Condé and Turenne, of Luxembourg and Vauban. By terror and by corruption the gates of all the cities of Holland were at once thrown open at his approach, and the passage of the Rhine was defended against him just so far as was necessary to give some deceptive color to the preposterous eulogies which, on the ground of that operation, exalted the courtly Louis to the level of the mighty Julius. Deputies suing for peace arrived from the terrified States at the camp of the invader. Their proposals were rejected with arrogance and insult; and the victorious king was not ashamed to require that the rulers of the Seven Provinces should annually transmit to him a medal surrounded by a legend, in which was to be made the acknowledgment that the Dutch people held their liberties of him and at his pleasure. The insult sunk deeply into their hearts. In a phrensy of popular madness, they massacred John and Cornelius de Witt as faithless to their native land, and as partisans of their hated enemy. The government passed into the hands of William, prince of Orange, who, after a war of six years, at length concluded with Louis, in August, 1678, the treaty of Nimeguen. By that treaty France abandoned the original ground of the quarrel. Her tariff of 1667 was revoked, and either country conceded to the other a full liberty of trade, unimpeded by the grant of any privileges or bounties in which the citizens of both should not equally participate. From this iniquitous contest, therefore, Colbert and his master acquired no real commercial advantage, nor any just military fame. It laid the basis of a costly and humiliating warfare of forty years' continuance; but, on the other hand, it served as an apology for striking some ostentatious medals, for erecting some arrogant statues, and for elevating a splendid triumphal arch at the northern gates of Paris.

Fifthly. To his other cares for the mercantile greatness of France, Colbert added an extreme solicitude to guide, or rather to force, the labor of her artisans into the most profitable channels.

In the tenth and three following centuries, commercial fraternities had been formed in most of the great cities of that kingdom (as of the rest of Europe) for the defense of the handicraftsmen against their feudal lords. When those Guilds had effectually repelled oppression from themselves, they began to practice it on others. They were the Communists of that generation, and their history might teach a useful lesson to the Socialists of our own. Their tyranny was directed against all the private artisans who would not, or who could not, join their societies. In Charles V. and in Charles VI., those artisans sought and found defenders against the persecutions of the incorporated brotherhoods. But when Louis XI. invoked the aid of those companies in his struggle against the seigneurs, he was in his turn compelled to support them in their contest with the independent workmen. Thenceforward their oppressions knew no limit. No man could lawfully carry on his trade unless he became a freeman of one of their incorporations. No man could obtain that freedom except by the payment of admission fees of a great but arbitrary amount. And, before any one could be allowed so to qualify himself, he was required to produce to the guild a specimen of his skill, which *they* should acknowledge to be a *chef d'œuvre*. To many a candidate it was also a matter of extreme difficulty to ascertain what was the guild into which his particular art or craft would authorize him to enter; for those companies were exceedingly numerous, and were engaged in ceaseless and acrimonious disputes with each other as to the precise limits of their respective functions. To determine those knotty questions, the tavern-keepers went to law with the bakers, and the fruiterers with the grocers; and a protracted contest before the courts was necessary to determine the precise point at which the appropriate office of the shoemaker gave place to that of the cobbler. It is with an admiration not unmixed with awe that we celebrate the venerable length of years which our own suits in Chancery occasionally attain, but they must be numbered among ephemeral litigations when brought into contrast with the antediluvian longevity of some of the judicial controversies between the commercial brotherhoods of France. Thus the tailors commenced in 1530 an action against the old-clothesmen, which expired in the year 1776, in the 246th year of its

age, though not till it had given birth (says M. Clement) to between 20,000 and 30,000 preliminary decrees. And thus, also, in the year 1509, the poulterers commenced a suit against the rôtisseurs, to determine whether, within their privilege of selling rôtis, the defendants were entitled to sell roasted game and poultry. The Palais de Justice decided, in 1628, that is, in the 120th year of the discussion, that no rôtisseur might supply the meat required at any marriage or other festival, unless it were celebrated under his own roof; but that within those domestic precincts he might sell to any customer "trois plats de viande bouillie, et trois de fricassée;" a judgment which, though it left the main point unsettled, would have done honor to the Court of Barataria, under the presidency of that illustrious judge who has rendered its decisions forever memorable.

From the time of Louis XI. to that of Louis XIV., the general tendency of the legislation of the kings of France had been to relax the fetters by which the monopoly of the incorporated guilds thus impeded the industry of all other French manufacturers. The only material exception occurred in the reign of Henry IV., who, in deference to the advice of the notables, assembled at Rouen in 1597, reversed the policy of his immediate predecessors, and restored the companies to their former power. But, in that assembly, the interests and the votes of a large number of rich merchants and master workmen prevailed over their colleagues. In the States-General of 1614, on the contrary, where the public opinion of the whole kingdom was freely expressed, these restrictions were condemned as an intolerable grievance.

In Colbert, however, they found a patron of unrivaled authority and zeal. He observed that the relaxation of them which had been practically established had produced the effect of bringing into the market many manufactured articles which fell far below the highest attainable standard of excellence. But Colbert's object was to render the cloths, and tapestry, and glass, and silk of France more than equal, in value and in price, to those of England, Flanders, and Italy. To accomplish this design, he promulgated no less than forty-four edicts or royal regulations to determine how those articles should be fabricated. The general character of this singular code may be inferred from the following specimens:

First. In August, 1666, an edict appeared, reciting that the serge-makers of Aumale had, during some years, had "an entire liberty of determining, according to their own caprice," the length and breadth of their cloths, and that, on account of the consequent faults in those articles, the sale of them had greatly diminished. To remedy this evil, it was enacted that the serge-makers of the place should be formed into a trading company, enjoying the usual privileges for controlling all workmen in that business.

Secondly. Twelve months later, Colbert promulgated another edict, reciting that the goods produced by the workers in gold, in silver, in silk, in wool, in thread, in dyeing and in bleaching, were not of the requisite quality; and, therefore, laying down rules for the guidance of them all, in each of their various operations. These rules, in a single case, that of the dyers, comprised no less than 317 distinct articles.

Thirdly. There was a corporation of united barbers, wig-makers, and bathing-house keepers. For their better conduct, Colbert directed that the basins hung out at their shop-windows should always be white, to distinguish them from the surgeons' basins, which were always to be yellow. The barbier peruquiers, and they alone, might sell hair, excepting (added the provident law-giver) any case in which any person may bring his own hair for sale to any wig-maker's shop.

Fourthly. By another enactment, it was forbidden to any master workman to keep more than a single apprentice.

Fifthly. In many trades, as, for example, in the trade of bonneterie, every aspirant was to serve for five years as an apprentice, and then five years more as a journeyman; after which he was to produce his chef d'œuvre. Thus, in those days, no one in France might sell a "bonnet," which, under correction, I take to be the French for any female head-dress, who had not studied the art during ten years, and who had not then given proof of perfection in it; a perfection which (if reliance may be placed on circumstances not entirely unknown to some of us) would seem to be regarded by the best possible judges of the question as not often attained, and as not easily attainable.

But, sixthly; from these obligations, the sons and daughters of master workmen were to a very great extent exempted.

Every one anticipates the results of these puerilities. They

tended to confine the manufactures of France to a few privileged families. They gave rise to useless prosecutions, and to many oppressive and unprofitable punishments. They tended to confine the manufacturing business to a few privileged families, and to reduce the number of competitors to the lowest possible amount. They excited from every quarter resentments and remonstrances, which again provoked still more vexatious edicts. One of these, of the 24th of December, 1670, ordained that any manufactured goods which should not be in exact conformity to the royal ordinances should be exhibited on a gibbet nine feet high, bearing the maker's name; and that, after twenty-four hours, they should be cut, torn, burned, or confiscated. For the second offense, the manufacturer was also to receive a public admonition in a full meeting of his guild; but for the third offense he was to be put into the stocks for two hours, with the fragments of his confiscated property hanging about him; an edict, says Forbonnais, which one might suppose to have been written in Japan. M. Clement, with greater equity, adds that, before affiliating such a law on the Japanese, one ought to ascertain what kind of opinion they would have of it.

After trying in vain the efficacy of penalties, Colbert resorted to the use of bounties. He gave 1200 livres to every dyer who conformed to his rules. He gave money to every workman who, being himself in the service of such a master, should marry a female fellow-servant. He gave them a premium on the birth of their first child. He gave to every apprentice entering the trade on his own account both money and tools. And, in favor of some workmen whom he peculiarly cherished, he even gave a great reduction of their tailles.

But the storm and the sunshine were alike ineffectual to ripen the fruits of the French Protectionist husbandry. The trades cherished by Colbert died with him. His policy was, however, more long-lived. The authority of his name maintained till the eve of the Revolution, and even yet supports in France, a commercial system which all her real statesmen reprobate, but in which many sections of the people find their account.

To what causes, it may be asked, is that authority to be referred, since the measures of Colbert, which I have hitherto

noticed, were calculated neither to secure the approbation of the wiser few, nor the favor of the unreflecting many? The answer to that inquiry is neither difficult nor doubtful. No man had ever studied more profoundly, or, perhaps, no man ever judged by a surer instinct, the character of his fellow-countrymen. If some of the measures which he pursued were ill-judged, the common motive of them all was to promote the welfare of the great body of the people of France. That object ever lay nearest to his heart. No statesman was ever actuated by a public spirit more genuine, or by a patriotism more ardent, even when the most ill directed; and though Colbert has won this praise tardily from generations later than his own, yet it is a praise which, when once firmly won by any ruler of that enthusiastic people, secures to him for all future times the rank and worship of a demigod among them. The love of country of this great minister exhibited itself, I think, chiefly, first, in his unrelenting hostility to all abuses and to the authors of them; secondly, in the splendor and utility of his public works; thirdly, in his creation of a belligerent marine far more powerful than France had ever before seen or contemplated; fourthly, in his labors for the improvement of the laws and judicial system of the kingdom; and, finally, on the patronage which he bestowed on literature, and, therefore, on the literary dispensers of reputation. My limits of time will not allow me to touch on these topics except with great brevity, but I may not altogether pass them over.

First, then, on his accession to power in 1661, Colbert declared war to the knife against the whole brood of peculators, defaulters, and public accountants, by instituting an extraordinary commission, or court of justice, to compel them to disgorge their ill-gotten gains; and though some parts of his subsequent proceedings for that purpose may not bear the test of a very severe morality, some excuse for his rigor may be found, partly in the habits of the times, and partly in the enormous extravagance of the frauds with which he had undertaken to contend.

The authors, or suspected authors of them, were required to produce and verify statements of all the property which they had acquired by inheritance or otherwise during the last preceding twenty-six years, and all the curés and vicars of

Paris were directed to call upon the faithful in their respective congregations, to denounce all offenses against the treasury of which they might be aware, on pain of excommunication in case of disobedience. The results of the proceedings of this tribunal were, first, to effect the restitution to the crown of one hundred and ten millions of livres; secondly, to set aside the conveyances of many territorrial and other royal rights which had been alienated on no adequate consideration; and, thirdly, to reduce, by eight millions, the annual charge for the public debt. So long as this tempest raged against the financiers alone, the citizens of Paris watched the progress of it with exultation; but the reduction of the dividends payable at the Hôtel de Ville spread alarm, and, for a moment seemed to threaten a revolt among all the wealthy inhabitants of that once rebellious city. With the suppression of the Fronde, however, they had ceased to be formidable. Their discontent expressed itself only in impotent murmurs, and in those dismal looks which suggested to Boileau his picture of a "visage plus pâle qu'un rentier, à l'aspect d'un arrêt qui retranche un quartier."

To these retributory measures Colbert added others for preventing the recurrence of similar abuses. He deprived all fiscal offices of their heritable character. He took from every public accountant securities for the faithful performance of the duties of his office. He exacted of every such officer an habitual residence at his post. He reduced the per centage on all collections of the public revenue. He subjected the estate of every debtor to the crown to a tacit mortgage for the amount of his debt, which was payable in preference to every other demand. He rendered it necessary that all taxes let to farm should so be disposed of by public auction, and not otherwise. He established a complete system of keeping and rendering accounts of the receipt and application of the public money; and he devised effective forms and rules for preventing the deviation of any such money from the particular service to which it was properly applicable. Such labors are easily enumerated, and may not collectively assume in the enumeration a very brilliant appearance. But they were such as few other men would have had the diligence, the skill, and the hardihood at once to devise and to enforce.

From the accountants and peculators, Colbert turned to make

war on the dishonest creditors of the state. In the depths of his financial distresses, Mazarin had diverted to the use of the crown the octrois and other dues exigible in the various cities of France, and applicable there to various purposes of local necessity or convenience. To indemnify the citizens for the consequent prejudice to their municipal interests, the cardinal, as we formerly saw, administered the singular relief of authorizing them to exact from themselves as much more money for recruiting the civic treasuries as he had taken away for the behoof of the national treasury. To escape the burden of this double taxation, the communes every where borrowed funds for their indispensable local expenditure. Such funds were, however, unavoidably taken upon an equivocal security, and, therefore, at a high rate of interest; and, in consequence of these improvident loans, Colbert found nearly the whole of France threatened with a kind of municipal bankruptcy. After ascertaining, by a rigid inquest, what was the amount of debt really due, and to what extent the contracts made with the embarrassed citizens had been fraudulent or usurious, and after establishing a registry in each city of the pecuniary obligations to which each was justly liable, he restored to them all half of the funds which Mazarin had seized, leaving to them the collection and management of the whole of the octrois and other dues which they were thenceforward to divide with the crown. Applying themselves with new zeal to the improvement of an income in which they were so largely to participate, the communes ere long paid off their debts, and gave a new illustration of the old proverbial truth, that "a half is sometimes greater than the whole."

From the corporation creditors, this sleepless reformer next turned to the Noblesse. To escape their contribution to the tailles and other ordinary taxes, a vast throng of persons had either acquired or laid claim to the privileges of nobility. Some had bought this honor; some had earned it by the discharge of public offices; and many were indebted for it to their own impudence, or to the favor, not hardly propitiated, of the heralds and genealogists, who were but too well disposed to certify the gentle lineage of all whom they knew to be provided with well-lined purses. The poorer roturiers were thus condemned to see one after another of their wealthier brethren

withdrawing their shoulders from the pressure of the burden which weighed so heavily, because so exclusively, on their own class or caste of society. Indignant at their sufferings, and full of burning zeal for the interests of the treasury, Colbert attacked this noble phalanx with characteristic decision. With one blow he revoked all titles to nobility which had been acquired within the last preceding thirty years. With another he recovered against the usurpers of noble rank penalties for that offense amounting collectively to two millions of livres. In every part of France multitudes of parvenus were driven back to the ranks which they had deserted, and were compelled to resume their shares of the load which they had shaken off. In Provence alone, the number who thus shed their false plumage was 1257, all men of mark in their respective vicinities. It is not difficult to imagine how profound was the satisfaction with which all classes of society hailed this signal act of penal justice—how the ancient Nobles rejoiced to be delivered from their undignified associates—how the meaner ranks were gladdened at the defeat of an arrogant pretension—and how the tax-payers welcomed back into their lines the fugitives who had left them to suffer alone. The only mourners were they to whom the public faith was dear; for to them it appeared nothing less than a robbery to receive money for patents of nobility, and then to revoke the grants on no alleged ground except that the money paid had been inadequate to the advantage obtained. But among the praises of Colbert's administration and of the age of Louis XIV., a strict integrity in public affairs held no place.

In the custom-houses of France the great minister found his next antagonists. On his accession to power, *export* duties were payable, not only on the removal of merchandise beyond the limits of the kingdom, but even when they were removed from one province to another. Nor were the rates of those duties the same in any two provinces. Although the absurdity and the mischiefs of this system baffle description, they may be illustrated by the example of what were called the Customs of Valence. At that place a duty of from three to five per cent. *ad valorem* was payable, first, on all goods brought into Lyons from Languedoc, from Provence, from the Levant, or from Spain; and, secondly, upon all goods brought from the

eastern provinces of France into Languedoc, Provence, or Piedmont. To secure the payment of these duties, all articles subject to them were to be brought to Valence, however great might be the deviation from the shorter and more convenient route; and a vast cordon of revenue officers was accordingly drawn, as a kind of net, round no less than nine of the principal provinces of the kingdom. To abolish this and all other local tariffs, and to substitute for them one general scale of customs duties applicable only to the external trade of France, that so the intercourse between the different parts of the realm might be entirely free, was a scheme to which Colbert devoted all the energies of his mind, and all the delegated authority and influence of the crown. He was, however, opposed by the multitudes who had a vested or a prospective interest in these strange abuses. He was opposed also by that still greater and more irrational multitude which found in the commercial isolation of their respective provinces food with which to nourish their provincial prejudices. And in many parts of the kingdom those prejudices found supporters, and Colbert antagonists, in the old provincial states which still maintained their languid and decaying existence. Before such adversaries he at last recoiled. Some of the provinces resisted the proposed tariff altogether, and, so far as commerce was concerned, they were allowed to remain and to be described as provinces on the footing of foreign countries. Other provinces demanded and obtained the maintenance of all their old and distinctive laws of customs, and they were thenceforward known as the foreign provinces. But about half of France acquiesced in the new and uniform tariff, and that part of the realm acquired the fiscal designation of the "five great farms." With this incomplete success Colbert was obliged to be content. He had planted the vigorous shoots of a great future improvement. Yet so slow was their growth, that (strange as it now sounds to us) the French Revolution still found the Douane de Valence and the "five great farms" in full vigor, and swept them away among the throng of obsolete anomalies.

But, secondly, the ambition of Colbert was of too noble a character to be satisfied with increasing the public revenue by the punishment or prevention of abuses, or by the establishment of new tariffs. He aimed to explore and open new sources

of national wealth, and with that view became not merely the patron, but even the author, of some of the noblest of the public works of France, and especially of the great scheme, so often meditated by others, of uniting the Mediterranean and the Atlantic. To Pierre Paul de Riquet is, indeed, due the praise of all the science which devised, and of all the energy which actually accomplished, the Canal of Languedoc. Without presuming to explain the mechanical contrivances by which he subdued the obstacles which nature seemed to have opposed to that undertaking, I believe I am safe in asserting that, when due allowance is made for the inexperience of his age, Riquet exhibited in that great work an extent of genius and a variety of resources which entitle him to a high place among the greatest engineers of modern times. The appropriate praise of Colbert is, that he appreciated the capacity, admired the energy, and sustained the courage of his great agent in this scheme; that he continued to hope while others desponded, and was unmoved by all the expostulations and ridicule by which the prophets of evil, and the speakers of evil, of those days would have arrested the enterprise; and that, in the midst of all other demands on the public treasury, he advanced from that source one half of the indispensable outlay. Corneille has celebrated the junction of the two seas in some noble verses, whose only fault is that they say far too much of Louis XIV., and nothing at all of Riquet or of Colbert. Vauban, after traversing the whole length of the canal, and admiring the labors of a genius so kindred to his own, pronounced a eulogy more generous than that of the great dramatist: "The work (he said) is absolutely perfect, with one exception—I have looked in vain for a statue of Riquet."

Thirdly. It was, however, neither as a financier nor as an economist that Colbert chiefly acquired the high place which he retains in the admiration of all Frenchmen. His higher, or, at least, his more effective claim to their gratitude is, that by him France was first elevated into the foremost rank of maritime powers, so far, at least, as that rank depends on the possession of a belligerent navy. In 1661, the date of his accession to power, she possessed 30 ships of war, of which 3 were of the first class, 8 of the second, and 7 of the third, the rest being small craft only. At the peace of Nimeguen in 1678,

the royal navy comprised 120 ships of war, of which 12 were of the first class, 26 of the second, and 40 of the third. Five years later, the number had arisen to no less than 273 vessels of all classes, of which 139 were either ships of war or frigates. To man this vast navy, Colbert established a law, not unlike the maritime conscription law of France at the present day; and such was its success, that in the year 1670, the number of seamen registered under it amounted to 30,000; and, after the lapse of thirteen years (that is, in 1683), to 77,852. Neither honors nor emoluments were spared to animate the courage of the force thus rapidly called into existence; and, in his official intercourse with his naval commanders, Colbert relaxed his habitual austerity, and cheerfully indulged them in the roughness of manners and petulance of temper for which their employment afforded at once the temptation and the apology.

His zeal for this branch of the public service showed itself in other and yet more laborious cares. He employed lawyers of great eminence to compile a code of laws for the government of the French navy; and the Ordonnance sur la Marine, which he at length promulgated, rapidly acquired that universal admiration which has ever since followed it. The praise of this great work must, of course, be divided between Colbert and the subordinate agents whom he employed in the execution of it; and, for the same reason, I hesitate to subscribe to the eulogies which he has so largely received as the author of the other codes of law which were promulgated during his administration. On his accession to power, some of the provinces of France were governed by ancient customs or traditions. Some of them lived under the *droit écrit*, or ancient laws of Rome. In some, the provincial jurisprudence was the result of a fusion of the *corpus juris civilis* and of customs borrowed from many different localities; and in all, the rule for the observance of the people in their transactions with each other, and for the guidance of the judges in their decisions, was, to a great extent, doubtful and indeterminate. To reduce this chaos into order, Colbert employed Lamoignon, and others of the greatest jurists of his times; and in the years 1667, 1669, 1670, and 1673, appeared four codes, the result of their labors, and, as it is said, of Colbert's superintendence and revision of them. They were known as the Ordonnance pour la Réformation de

la Justice Civile—as the Réglement général pour les Eaux et Forêts—as the Ordonnance Criminelle—and as the Ordonnance de Commerce. During one hundred and thirty years, and until superseded by the Code Napoleon, they formed the basis of the law of France, both civil and penal. But as the name of Justinian was superscribed to the work of Tribonian and his fellow-laborers, and as the name of Napoleon has been given to the compilation of Cambacéres and his colleagues, so has the name of Louis XIV. been attached to that of Colbert, of Lamoignon, and his associates; for in civil, as in military life, the laurel is habitually assigned to the leader under whose auspices the victory has been won, rather than to the subordinates by whose toil, and ability, and self-sacrifice it may have been really gained; and, in this distribution of fame, there is sometimes more substantial equity, and always more public convenience, than might be supposed by those who never, either as leaders or as subordinates, wielded either sword or pen in such a controversy.

Finally. No man ever understood, better than Colbert, the importance of the suffrages of those by whom the pen is so wielded as an instrument of dominion over mankind. To many of them he granted pensions; and in the list of his pensioners, amid many heroes of the French Dunciad, occur the names of Pierre Corneille, with his description as "le premier poëte dramatique du monde;" of Molière, "excellent poëte comique;" of the Sieur Racine, "poëte Français;" and of Le Sieur Mézerai, "historiographe." The favor of many foreign writers was wooed in the same persuasive manner; but among them I see no Englishman, nor any name more eminent than those of Huygens and Isaac Vossius. To take other securities for the permanency of his own reputation, Colbert established the Academies of Sciences, of Painting, and of Inscriptions. The last of these was so called, because its peculiar office was that of devising inscriptions in honor of the great King of France, and in celebration of his triumphs, military and civil. As far as Louis himself is concerned, however, no great gratitude was due to this company of eulogists; for, among many other extravagances, he was indebted to them for his famous device of the sun rising over the world, with the legend, "Nec pluribus impar;" a boast, perhaps, as ambiguous in its mean-

ing as it was arrogant in its appearance and offensive in its effect. The interpretation of it by Louis himself, in his instructions to the Dauphin, is, I suppose, the right one. It is that, adequate as he had proved himself to be to the conduct of so many great affairs, he would not have been inadequate to the government of many other of the kingdoms of the earth, if they, like France, had been brought, or should be brought, within the radiance of his solar beams. If such be, indeed, the sense which the authors of this metallurgic hyperbole intended it to convey, it was as unjust as it was extravagant; for, beyond all dispute, the boasted sufficiency to such and so many great undertakings belonged, not to Louis himself, but to his great minister, Colbert. In some of these he had greatly erred. But in all of them, by turns, he had exhibited a range of knowledge, an energy of application, a contempt for difficulty and for danger, and a zeal for the glory, the greatness, and the welfare of his country, which entitles him to an eminent place among the most illustrious statesmen who have impressed an indelible trace of their lives and labors on the history of mankind.

To Colbert, however, no such honor was rendered, either by the king whom he had so well served, or by the people for whom he had so diligently labored. Louis had long been overawed by the genius of his great minister. The forms of submission and deference had, indeed, been as studiously maintained by the subordinate as they had been rigidly exacted by the superior. The austere and frugal controller general had even indicted eulogies on the Grand Monarque, and had projected costly monumental works in honor of his conquests. The homage was coldly received, while the substantial power, which it was intended to conceal, was suspiciously resented. With the peace of Nimeguen, Louis had regained his insatiable passion for buildings and other selfish expenditure; and as Versailles, Trianon, Marly, the gigantic aqueduct of Maintenon, and the edifices of the Place Vendôme, one after another drained the resources which Colbert had accumulated, his scruples and remonstrances became a continual rebuke and a serious obstacle to the extravagance of his master. With his pride wounded and his temper irritated, the king at length inflicted on the aged statesman some of those indignities which,

when coming from him, withered the very souls of those who worshiped at that idolatrous court. Already worn out by labor and disease, the heart-broken old man sickened and died; and when the last letter he was ever to receive from Louis reached him, he refused to read it, exclaiming in the bitterness of his soul, in words like those of Wolsey, "If I had but served my God as faithfully as I have served this man, I should long since have worked out my salvation. But now what awaits me!"

Nor were the people of France more grateful than their sovereign to their aged servant. His death was hailed at Paris by a perfect storm of satirical epigrams, and to rescue his body from the anticipated outrages of the Parisians, it was conveyed by night from his hotel to the place of interment under a strong military escort.

The catastrophe is not without its moral. If, among those whom I address, there be any who are proposing to devote all the powers of their souls and bodies to the service of the state, but who may not hope either to command her armies in the field or to lead her parties in the senate, let them not shrink from that most severe and thankless service, but let them learn betimes to look to the approbation of God and of their own consciences as their only reward. If they should bring all the energies and all the virtues of Colbert to their appointed offices, they will assuredly find a Louis XIV. to appropriate to himself the glory of their labors, and an ignorant multitude to exact from them the expiation of his incapacity, and faults, and blunders.

At the death of Colbert it became necessary to reconstitute the administration of which he had been the real, though the unavowed head, and especially to replace him in the office of controller general by a successor who would at once have skill to replenish the treasury, and meekness to acquiesce in the improvident exhaustion of it. But it was above all things essential that the choice should appear to Louis to be his own unprompted and spontaneous act. It deserves to be told how he was beguiled into that belief.

"What think you," said he to the Chancellor le Tellier, "of Le Pelletier as my new minister of finance?" "Sire," answered the sagacious lawyer, "that is a subject on which I

have no claim to your confidence. He is the son of my guardian, and I have, therefore, always regarded him as my own child." "No matter," replied the king, "tell me what is your opinion of him." "My opinion then is, sire, that he is upright, honorable, and industrious; but he is unfit to be a minister of finance; he is not severe enough." "What," rejoined Louis, "do you suppose I wish that any of my servants should be severe to my subjects. Since he is faithful and diligent, I appoint him to be my controller general."

The king believed the decision to be his own, and was willfully blind to the motives which had induced the chancellor so skillfully to draw him into it. The choice of Le Pelletier virtually placed the whole government in the hands of Le Tellier himself, and of his son Louvois, the minister secretary of state for war; for they, when supported by the new controller general, formed not merely a numerical, but a most effective majority of the new administration. Their colleagues, Seignelay and Colbert de Croissy, were neither of them gifted with the talents by which nations are governed, and absolute monarchs held in an unconscious bondage. Louvois possessed both of these talents in an eminent degree.

He had not completed his fourteenth year when he received from Louis a grant of the reversion of the office of secretary of state for war, to take effect on the death of his father Le Tellier; and it was the boast of the king that he had himself, by his own example and instructions, formed the young minister for the duties of his place. If so, he might well be proud of his success, for it is the universal consent of all the most competent judges that Louvois was a perfect model of an administrator of the department of war. His method, his comprehensiveness, his foresight, his force of will, and his almost preternatural activity, molded the belligerent force under his orders into an instrument so flexible for all the purposes of aggressive warfare, and so terrible to those against whom it was directed, that Louis was far more indebted to his minister than even to his generals for the military triumphs which embellished his reign, and for the conquests by which his dominions were extended. So eminent, indeed, were his merits, and so universally acknowledged, even in his own lifetime, that, even in the jealous court of Versailles, they were cele-

brated in the highest terms by the most devout of the worshipers of the great king. Thus Madame de Sevigné, in a letter written on the 5th of August, 1676, says of the siege of Aire, "M. Louvois carries off all the honors. His authority is absolute, and he commands the armies to advance and retreat at his pleasure." His pretensions were not, however, undisputed. Turenne, in his great campaign of 1674–5, had the courage to act in direct and systematic disobedience of his orders, and Luxembourg could not live at peace with him. Indeed, if Madame de Sevigné be right, Louvois was the Haman of Racine's Esther, and either Turenne or Luxembourg the Mardochée.

Well had it been for the fair fame of Turenne if he had as inflexibly refused to do homage to this Haman when he received his commands to lay waste the Palatinate. It is a far darker stain on the memory of that great captain than even his traitorous adhesion to the foreign enemies of his country during the wars of the Fronde. But the return of Louvois to the same atrocious system of making war in 1689, in defiance of the indignant protestations of the whole civilized world, is a stain far deeper still, not only on himself, but on his master, and even on his nation. For such guilt no administrative genius can make any atonement, nor any success afford the slightest apology. It is one of those crimes, the recollection of which must ever, in the judgment of all impartial men, depress Louis and his minister from the level of the chiefs of the civilized world to a rank far below that of the most ferocious and pitiless of the rude barbarians by whom the Roman empire was devastated. But it forms no unmeet preparation for the one great measure of domestic policy which illustrated the years during which Louvois was the real, though the unacknowledged head of the civil government of France.

Religion, as inculcated on Louis XIV. by his confessors, is said by M. de Sismondi to have been reducible to two precepts, "Desist from adultery; exterminate heresy." If the king fell short in the first of those duties, he wrought works of supererogation in the second. Yet he did not commence his holy war with the sword.

One third of all the profits of all the vacant benefices of France was set apart by Louis as the capital of a sort of Bank

of Conversion, at the head of which he placed Pelisson, himself a convert from the faith of Geneva. Under Pelisson were employed subordinate officers in all the cities and provinces of France in which Protestantism most abounded. Their duty was to purchase adhesions to the Church of Rome. For this traffic there was a regular scale of prices, ranging from five to one hundred livres, according to the estimated value of each man's apostasy—an enormous price, indeed, if regard be had to the value of the commodity bought and sold; for, at half the money, the rogues and vagabonds of France might, as it should seem, have broken this royal Bank of Faith in a month, and kept the Catholic benefices indefinitely vacant. Yet gazette after gazette published lists of many hundreds of Pelisson's miraculous conversions; and if the union of folly, fraud, and impudence, in the highest possible degree, be any departure from the established laws of nature, the term was not ill bestowed. Such was the religion of him, dissent from whom was about to be followed by the most disgusting, if not the most terrible of all the persecutions with which the Christian world has been visited!

Pelisson's converts, as he himself says of them, desired to be moistened liberally by the rich dews which it was his genial office to distill. Many of them, therefore, devised the obvious scheme of a relapse, a reconversion, and a new sale of their souls to the royal purchaser. He answered them, however, not by more livres, but by an edict of the year 1679, which condemned all relapsed persons to banishment for life, and confiscation of all their property. The blow, as we shall hereafter see, reached much farther than to the knaves at whom it was aimed.

It was in the preceding year that the peace of Nimeguen brought the greatness of Louis to its apogee. Supreme over his own subjects and over all the powers of Europe, it remained for him to accomplish the strange law or destiny of his race, by submitting his mind to a thraldom from which he should never again be either able or willing to emancipate himself. The chains so indissoluble, because they were at once so soft and so well concealed, were grasped by the too famous Madame de Maintenon.

During the first sixteen years of her life she had adhered to

the religious creed or society of her great-grandfather, Agrippa d'Aubigné, one of the most eminent of the champions and historians of the Huguenots. Even after her elevation, Louis (as we learn from her own letters) would occasionally upbraid her with too fond a remembrance of the heresy of her youth; but ambition, which (as she also informs us) was the master-spirit of her life, rendered her triumphant over all such domestic associations and early remembrances. She even exaggerated, in her own person, the bigotry of her royal patron, and became the willing accomplice of Père la Chaise in provoking him to engage in the great crusade of the seventeenth century.

In that servile court, obedience to the presiding demigod was not merely a law, but a passion. To win his smile by making proselytes became the daily labor of all the sycophants who thronged it. At each levee, dukes, and peers, and bishops, and generals laid before him their lists of new converts. No post reached Versailles without intelligence of some Protestant church having been demolished, or of the dispersion of some Protestant assembly. If, with such grateful tidings, there also came the news of riots, outrages, and conflagrations, of which the heretics had been the victims, the sovereign, jealous as he was of his power, regarded with seeming indifference, and with at least supposed favor, such violations of the laws of which he was the guardian.

For the law was, even yet, on the side of the Dissenters. The Edict of Nantes still remained on the statute-book of France. During fourscore years and upward, 2,000,000 of Frenchmen had regarded it as the charter of their civil and religious liberties; and of the rest, many respected it as the corner-stone of the peace and union of the kingdom. The great founder of the Bourbon dynasty had consecrated it as the very ark of the Constitution, purchased with the toils, the sacrifices, and the bloodshed of his glorious life. It was the one royal ordinance to which the people of the realm had learned to look with enthusiasm, as an immortal trophy of the valor and wisdom of their ancestors. Even the triumphant Louis, therefore, paused before laying his hand upon such a monument. He could not at once subvert it, but he could, by new legislation, render it ineffectual.

In the succeeding century the statute-book of our own coun-

try also was to be disgraced by a penal code against the Roman Catholics. It was, indeed, prompted by the too well-founded fears of our ancestors for the Protestant succession and for the civil liberties of England. It was, I admit, to a considerable extent, a menace only; as to the last, it remained dormant in many of its worst enactments. But, whatever may be the worth of these or of any similar apologies, that penal code was a great crime, and has been righteously and signally punished. When, however, the adherents of the Church of Rome denounce that or any other form of religious persecution as unexampled, one is constrained to ask whether there be really any limits to human credulity in the acceptance of fiction, or of human incredulity in the rejection of truth? There are, we know, those who regard the story of Julius Cæsar as a myth. Some allow no existence to Mohammed, except as the ideal hero of an Arabian tale. Dr. Whately, as we are all aware, has gone far to annihilate the faith of mankind in the life and adventures of Napoleon Bonaparte. But what are these historical discoveries in comparison with that which requires us to disbelieve the surpassing pre-eminence of the Church of Rome, in every country and in every age, in the mysteries of tormenting heretics in mind, body, and estate! We must be more mythical than Strauss, more skeptical than Whately, if we do not recognize in her the great original, of whom all other persecutors have ever been but timid, feeble, and most imperfect imitators. Thus, for example, the penal code which grew up amid the agonies and alarms of our revolution of 1688, was nothing else than a faint copy of the edicts which, in the profound tranquillity of the peace of Nimeguen, were promulgated by Louis XIV., with the aid, and by the advice, of some of the greatest statesmen, lawyers, and divines whom the Catholic Church of France could boast, at the very climax of the literary and ecclesiastical glory of that kingdom.

It provided that no Protestant might hold any public office, political or municipal, or engage in any liberal profession. No Protestant woman might discharge the office of midwife. No mixed marriages might be contracted. By one provision, all Protestants were forbidden to employ *Catholic* valets, lest the valet should be seduced into heresy. By another they were

forbidden to employ *Protestant* valets, because such persons could not be trusted in such a service. No Protestant could be the tutor or guardian of a child, however nearly related to him. All bastards, of whatever age, must be brought up or instructed in the Catholic faith. Any child of the age of seven years might abjure the Protestant religion, and the parent opposing any such abjuration was to incur the most severe penalties. Converts to the Church of Rome were to enjoy an immunity during three years from all the demands of their creditors, and during two years from all tailles and quarterings of troops; while the treasury was to be indemnified for the loss by doubling those charges upon the contumacious. All the property of all Protestant churches beyond the permitted limits, and such of their property within those limits as was devoted to the maintenance of their poor, was transferred to the Catholic hospitals. No legacy could be bequeathed for the benefit of any consistory. All physicians were required to report the state of their Protestant patients to the magistrates, that domiciliary visits might be made, to obtain, if possible, their abjuration. No sick Protestant might be relieved or attended in any private houses, but, if they had not houses of their own, were to be conveyed to hospitals under the care of Catholic physicians and divines. And, finally, if any new convert should be admitted into any Protestant congregation, the pastor was to be punished by banishment and confiscation of his goods, the people by the final dispersion of their assembly.

I will not undertake to say that our own Parliament may not afterward have invented some improvements even on this iniquitous series of enactments. They were but too apt pupils in the wicked acts of their Catholic models. But from the very lips of those who gave them the example, the reproach of having followed it is as preposterous as, unhappily, it is just. Bacchanals are not the most appropriate censors of drunkenness, nor do rebukes for impurity come with the happiest effect from the priesthood of Aphrodite.

But Louis and his counselors, lay and ecclesiastical, were soon to advance far beyond the reach of any Protestant imitation. The most powerful of those counselors, after the death of Colbert, were, as we have seen, the Chancellor le Tellier and the Marquis de Louvois, his son; to whom must be added

Madame de Maintenon and Père la Chaise. Le Tellier was, at this time, far advanced in life, and cherished, as he was himself accustomed to say, but one last wish. It was, that he might live long enough to affix the great seal of France to a royal ordinance for the revocation of the Edict of Nantes. Louvois contemplated the compulsory union of all Frenchmen in the same forms of worship, and in the avowal, at least, of the same faith, in the light in which he contemplated every other subject. Whenever the impending war with the Protestant powers should be actually declared, such a union would, as he believed, at once deprive them of a formidable alliance within the kingdom, and increase the force and number of the arms by which they might be either resisted or assailed abroad. To govern the heart of Louis, and therefore to adopt all the maxims by which his confessor governed his conscience, were the very laws of the existence of Madame de Maintenon. Those maxims, as inculcated by La Chaise, might be summed up in the doctrine, that to promote the dominion of the Church of Rome is the one end for which existence has been given to kings, to ministers, to favorites, and to confessors, and to every one within the reach of their authority.

The conduct of all affairs relating to the Protestants fell, at that time, within the department of Châteauneuf de la Vrillière, one of the four secretaries of state, a man of feeble character, who readily acquiesced in the usurpation by Louvois of some of the most important functions of his office. In April, 1684, the king, on Louvois's advice, promulgated one of those ordinances to which I have already referred. It was the law exempting all converts from the duty of quartering the king's troops during the two years next immediately after their conversion. The effect of this enactment was to transfer from La Vrillière to Louvois as minister, or secretary of state, for war, the entire management of all the relations between the crown and the heretics of France; for, as the troops withdrawn from the houses of the converts were to be domiciled in those of the contumacious, Louvois, and the officers acting under him, became at once the universal and absolute judges of such contumacy, and the punishers of it without appeal. He introduced into the French language a new word, and added to the miseries of the persecuted a new torment. Diocletian might

have envied the ingenuity by which the most Christian king invented the *Dragonnades* for the punishment of erring Christians.

"Louvois," says Madame de Caylus, "finding the kingdom at peace, and fearing that his colleagues in office would eclipse his own importance, was determined, at whatever cost, to employ the sword in a transaction which ought to have been conducted by charity and gentleness alone." In 1685, a French army had hastily been drawn together, by an unfounded alarm, to the Spanish frontier, and were then marched into the southern provinces of France as missionaries of the faith of Rome. We have still the instructions of Louvois to the Marquis de Boufflers, their commandant, to quarter them on the Protestants, and to retain them at each house where they might be so lodged until the inhabitants of it should be converted, and then to transfer them for the same purpose to another. "The king," wrote Louvois shortly afterward to another of his officers, "desires that they who will not adopt his religion should suffer the most extreme rigors, and that such of them as may have the stupid ambition of being the last to yield, should be urged to the last extremities."

What, then, were the methods by which these new missionaries labored to enlarge the borders of their Church? He who would possess such knowledge must purchase it at a heavy price. He must read Elie Benoît, and the other Huguenot martyrologists of those times, and learn from them what are the woes, and what the degradations, into which fanaticism can plunge the inhabitants of this fair world. Or he may consult the yet surviving witnesses of the last European war, who still whisper things, the publicity of which mankind would not endure, about the habits of a brutal soldiery, when let loose to satiate their evil passions among a conquered and helpless population. To the Protestant subjects of Louis XIV. that mystery of iniquity was revealed by those whom he sent among them in the holiest of all names, and, avowedly at least, for the most sacred of all purposes. A single passage from Benoît may suggest some of the disclosures which it does not actually make.

"The dragoons," he says, "fixed crosses to their musquetoons, so as the more readily to compel their hosts to kiss them;

and if the kiss was not given, they drove the crosses against their stomachs or their faces. They had as little mercy for the children as for the adult, beating them with those crosses, or with the flat sides of their swords, so violently as not seldom to maim them. The wretches subjected the women also to their barbarities; they whipped them; they disfigured them; they dragged them by the hair through the mud or along the stones. Sometimes they would seize the laborers on the highways, or when following their carts, and drive them to the Catholic churches, pricking them like oxen with their own goads to quicken their pace thither."

If the missionaries themselves may be believed, never was any Christian mission so successful. In one of his reports to his father the chancellor, Louvois informed him that in a few weeks 20,000 conversions had been effected in the Généralité of Montauban, and 60,000 in that of Bordeaux, where such (he said) was the rapidity of the process, that, though so lately as the last month there had been 150,000 Protestants dwelling in that district, there would soon not be as many as 10,000. The Duc de Noailles, commanding the army on the southeast, wrote to Louvois as follows: "The day after my arrival at Nismes, the most considerable persons of the place made their abjuration. The ardor for change then cooled a little; but, in consequence of my having quartered some troops upon some of the most obstinate, affairs are once more in a good train." . . . . "I hope that, before the end of the month, not a single Huguenot will be left in the Cevennes." . . . . "The number of these religionists in this province is about 240,000. I find that I have demanded more time than enough in asking you to allow me to the 25th of next month for the conversion of them all. I now think that the whole business will be finished before the end of this month."

Nor were these unmixed falsehoods. There was no small infusion of truth in the most exaggerated of the reports of Louvois and his officers. The spirit of martyrdom slumbered at that moment among the Protestants, or was tried by a test too sore for our frail humanity. It can, indeed, never be known whether even Polycarp or Ignatius would have borne up against the Dragonnades as firmly as they submitted themselves to the lions. Worried, disgusted, and exasperated beyond endurance,

by a plague more loathsome than any which visited Pharaoh, multitudes of the Huguenots subscribed their names, or their marks, to lists laid before them by their tormentors, that they might so gain time and opportunity for flight from their native land. But for such emigrants the new code had set some of its most subtle springes. If any one who had subscribed the roll of the converted was found attempting an escape from France, he was punished with the galleys as an emigrating Protestant. If he stayed at home adhering to his religion, he was punished with the same severity as a relapsed Catholic. To have hedged up his opponents in this inextricable dilemma is the ground on which Père la Chaise has been extolled by one of his eulogists as a bright model of legislative wisdom.

Whether such praise was due to him or not, there can be no doubt that both he and his royal penitent received with delight the accounts of the success of their Propaganda. It seemed to them, to Le Tellier, to Louvois, and to Madame de Maintenon, to have levelled all the difficulties which had hitherto forbidden the revocation of the Edict of Nantes. If, they asked, there was really but one religion in France *de facto*, why should there any longer be more than one *de jure?* The sagacity of Madame de Maintenon, aided by her old Huguenot habits and remembrances, was indeed proof against these illusions. She well knew that the faith of her ancestors was indomitable, even by the Dragonnades of her husband; but with her cold and characteristic shrewdness she remarked, "The parents may be hypocrites, but the children will grow up to be good Catholics."

Yet, while the fatal decision was still in suspense, the Protestants omitted no practicable effort for their own deliverance. Many and pathetic were their appeals to the whole Christian commonwealth, and of these none were more eloquent than that of their great pastor Jurieu. But the custom-house officers of France were able to prevent the introduction there of a remonstrance which all the doctors of France would have been unable to answer. To Louis himself his persecuted subjects addressed pictures of their distress, and petitions for relief, to which no human heart, unless rendered callous by bigotry, could have been insensible. But borrowing, as it is said, the language of Francis I., he told their deputies that, to restore

unity of religion to his people, he would willingly employ one of his hands to chop off the other. Despair then dictated bolder courses; and the Protestants of Languedoc, of the Cevennes, of Vivarais, and of Dauphiné met to worship publicly in defiance of the law, that they might refute, by their numbers, the statements of their persecutors as to the multitude of the pretended abjurations. They came together, not with swords, but with Bibles in their hands; and, by the order of Louvois, hundreds of them were slaughtered either by his soldiers or by the public executioners.

At length, on the 18th of October, 1685, one of the darkest days in the dark annals of France, Louis XIV. signed the ordinance which revoked the Edict of Nantes. Those words might seem to imply that he merely abrogated that great charter of his illustrious ancestor. But the terms of his ordinance went much farther than this, and merit peculiar attention.

"Observing (so runs the preamble), with the gratitude which we so justly owe to God, that our cares have produced their desired result, since the better and the larger part of those who professed the religion calling itself Reformed have embraced the Catholic faith, for which reason the farther execution of the Edict of Nantes is useless," therefore the royal legislator proceeded to enact, in substance, as follows: The public celebration of the Protestant worship was no longer to be permitted in any part of his kingdom. All Protestant pastors were to quit France within fifteen days, and were to incur the punishment of the galleys for life if they should again officiate in that capacity. But any pastor who should conform to the Catholic Church was to receive a pension exceeding by one third his actual stipend, with a reversion of half of that pension to his widow, and was to be at liberty to practice as an advocate, should such be his wish, without the usual academical studies. Every parent was required to send his children to the Catholic churches, and was forbidden to educate them as Protestants. All emigrants were to return to France within four months, or were to be subjected to the confiscation of all their property. The galleys for life in the case of men, and imprisonment for life in the case of women, were to be the penalties of an attempt to emigrate. To this catalogue of denunciations was added what, in appearance at least, was a

just and humane indulgence. "The members of this religion," said the ordinance, "may continue to inhabit the cities and other parts of our realm until it shall please God to enlighten them, without being molested on account of their religion, so long as they do not engage in the public exercise of it."

It was with a kind of melancholy fitness that this persecuting edict was thus prefaced with a false apology, and closed by a faithless promise. It was false that the better and larger part of the Protestants had embraced the Catholic faith; it was a mere illusion and a snare to promise that the rights of conscience should be respected so long as the Huguenots did not worship publicly.

The resentment with which the heart rises against the royal author of so much guilt and misery is, however, almost silenced by the remembrance of the character of the court, and the spirit of the times in which he lived. Hymned and deified, even in his crimes and follies, by such a chorus as that which daily greeted him with the incense of their flattery, how should a poor mortal man escape the intoxication, or think of himself as less than the God they made him? for they were no vulgar lips or pens which extolled his revocation of the Edict of Nantes as among the greatest achievements of his life.

It may have been little that such was the strain of the ladies of his court; that Madame de Maintenon declared that the act "would cover him with glory before God and men;" and Madame de Sevigné, that "there never had been, nor could be, any other ordinance so magnificent, or any act of any other king so glorious as this." It was, perhaps, something more that the aged Le Tellier sang the Nunc dimittis of Simeon as, on the 18th of October, he attached the great seal of France to the ordinance, and actually died twelve days afterward. But Louis had higher suffrages than these. His admirable grandson, the Duc de Bourgogne, anticipated "the astonishment with which all Europe would regard the extinction by a single edict of a heresy with which six preceding kings had contended in vain." The great Arnauld, while describing the measure as "a little too violent," declared that "he did not think it unjust." The still greater Bossuet, and the eloquent Fléchier, called on their congregations to lift up their voices

in loud thanksgiving for this blessing to the Church. And the Gallican Church herself, as represented by her synod of May, 1685, that is, while the Dragonnades were yet in progress, had the intrepidity to assure the king that, "without violence and without arms," he had induced all reasonable people to abandon heresy, and had "reclaimed the wanderers who, perhaps, would never have returned to the bosom of the Church except by the road strewn with flowers which he had opened for them." The offense, therefore, was not that of Louis alone, nor did he alone sustain the punishment.

The edict of revocation was executed with inflexible rigor. The pastors, and among them the celebrated Claude, were driven into immediate exile. Vast crowds of fugitives, with more or less success, attempted to follow. Some bribed the guard stationed along the frontier. Some forced for themselves a passage with the sword. Delicate and aged women, says Benoît, might be seen crawling many weary leagues in the hope of escaping at once from their persecutors and from their country. Some of the younger, he adds (not, perhaps, without the involuntary smile which will occasionally light up the French countenance in its deepest gloom), disguised themselves by spoiling their complexions, by producing artificial wrinkles, and by pretending to be dumb. Few ships quitted the coast without carrying away fugitives stowed and hidden amid the cargo. Many put to sea in open boats. The highways were thronged with Protestants yoked by chains to the most desperate criminals. Gentlemen who had, till then, lived in affluence and in honor, crowded the galleys of Marseilles, and women of every rank and condition of life filled, as prisoners, the convents and the jails of France. The Reign of Terror, which was to deform the close of the succeeding century, was not more formidable or more extensive.

After the lapse of thirty eventful years from the revocation of the Edict of Nantes, Louis was an infirm and an aged man. He had survived his children and grandchildren. He had been humbled by the victories of Eugene and Marlborough. He was overwhelmed with debt. He was hated by the people who had so long idolized him, and was compelled to listen to the indignant invectives which the whole civilized world poured forth against his blind and inhuman persecutions. Yet in

March, 1715, and within five months of his death, he published another ordinance, declaring that every man who had continued to reside in France after the ordinance of 1685 had given conclusive proof that he was a Catholic, because, if not a Catholic, he would not have been permitted to dwell there. It was therefore enacted that every one who had avowed his purpose to persist in the Protestant religion should be regarded as a relapsed heretic, and punished accordingly. To quit France as a Protestant had been declared, by the law of 1685, a crime punishable by the galleys for life. Not to have quitted France was declared, by the law of 1715, conclusive proof of a voluntary continuance there as a Catholic. The code of persecution was again erected on flagrant absurdity and falsehood—the most fitting and convenient foundation for all such codes. And then the long career of him in whose name and by whose sanction it had been promulgated reached its close. He died, declaring to the Cardinals Rohan and Bissy, and to his confessor, the Jesuit Le Tellier, that, being himself altogether ignorant of ecclesiastical questions, he had acted under their guidance and as their agent in all that he had done against either the Jansenists or the Protestant heretics, and on those, his spiritual advisers, he devolved the responsibility to the Supreme Judge.

We may well believe, as we most devoutly hope, that the decrees of that dread tribunal are often more lenient, as they are always more just, than the sentences which erring man pronounces on his fellows. And yet, however deeply conscious of our liability to such error, we may not, on that account, shrink from the unwelcome duty of echoing the indignant reproaches which have been cast on the name of Louis the Persecutor by every generation which has been born into the world since his departure from it. Even though the posthumous infamy of such oppressors may be insufficient entirely to prevent the renewal of such oppressions, it is not altogether ineffectual; and History would abdicate one of her highest privileges and most sacred duties if, in a faint distrust of her own influence, she hesitated, calmly indeed and gravely, yet decisively and unambiguously, to denounce the guilt and to brand the memories of such offenders against the religion of Christ and the welfare of mankind.

I have already taken occasion to avow my belief that it is

not only permitted to us to trace the march of a retributive Providence in the history of mankind, but that reverently and humbly to interpret the laws by which the Divine government of the world is conducted is the highest of the ends with a view to which any wise man engages in a review of that history. To myself it seems impossible that any such man should well consider the events which followed these persecutions without regarding them as among the most signal examples of the retributive justice of God. Even they who dislike and avoid, as unphilosophical, the religious phraseology of such an avowal, are not seldom driven to the use of more circuitous, but not, I think, more profound terms, to give expression to the same general meaning.

The extent of the depopulation to which France was subjected by the Edict of October, 1685, has been estimated by many different writers of great authority in terms varying with their respective sympathies, political or religious. The Duc de Bourgogne, anxious to vindicate his grandfather, appears to have concluded that the emigrants did not exceed 68,000. Voltaire calculates them as amounting, in the first three years, to 50,000 families. Marshal Vauban represented to Louvois that, in five years, 100,000 Frenchmen had fled the country; and that 9000 of the best seamen, with 12,000 soldiers and 600 officers, had joined the enemies of France. M. de Sismondi considers the loss to have exceeded 300,000 men; and M. Capefigue, the latest writer on the subject, hostile to the name and cause of the Protestants, reports, as the result of his searches into the still extant provincial records, that at least 225,000 of their number quitted the kingdom. But all these writers are agreed that the fugitives were among the bravest, the most intelligent, and the most industrious members of society, and that they carried with them into hostile countries the mechanical arts by which they had, till then, enriched their own, and by which they far more than repaid the hospitality which every where welcomed them.

Of the numbers who perished in ineffectual attempts to escape, in conflicts with the troops of Louvois, on the scaffold, in the prisons, and on the galleys, the conjectural estimates are still more various and uncertain. But no one disputes that the loss was enormous, or that the universal alarm and anxie-

ty which were protracted during so many years induced other and scarcely less lamentable evils.

The cry of distress from the sufferers was answered from every part of Europe by a cry of pity and of indignation. It gave to the confederacy against Louis both the energy of the vindictive passions, and the support which, in drawing the sword, men derive from the belief that it is wielded in a sacred cause against the common enemy of mankind.

By this egregious error, as well as crime, of Louis and his counselors, William, the head of that confederacy, was enabled to wrest from the King of France, and to vindicate as his own, the position which Henry IV., and Richelieu, and Mazarin, and even Louis himself, had assumed as protector and guide of the Protestant powers. This hereditary weapon of his house was thenceforward turned with fatal efficacy against it. The victories of Eugene and Marlborough, the humiliations of Gertruydenberg, and the concessions of Utrecht, were all among the direct results of the Dragonnades, and of the revocation of the Edict of Nantes.

But they were not the only or the most fatal results. The age in which Louis lived was far too enlightened for the submissive endurance of such enormities. They gave birth to new and dangerous ideas. They suggested questions never to be discussed with safety in any land in which the fictions of government are at the same time falsehoods. They provoked even the devout Fénelon to inquire into the grounds on which the will of a single man was to be the arbiter of the happiness and of the creeds of millions. They contributed largely to dissolve the illusions of French loyalty to the absolute King of France. Great as was the descent from the "Télémaque" to the "Social Contract," that descent had now become inevitable. The grave protests of the Archbishop of Cambray against so glaring an infringement of the laws of the Gospel and of the feelings of humanity ripened at last into the protest of Rousseau against the fundamental principles of all human society. Among the countless causes which were to combine to overthrow the Dynasty of the Bourbons, and to conduct the descendants of Louis to the scaffold and to exile, few were more active than the blind and bigoted zeal with which, at the bidding of priests, and women, and evil counselors, and especially of Le Tellier

and Louvois, he sentenced so large a proportion of his unoffending subjects to unmerited sufferings of the same general nature.

That in the all-wise and equitable judgment of Him whose judgments are alone of any real importance to the highest or to the meanest of us, the offense of Louis may have been mitigated by many considerations, of which Omniscience alone can take cognizance, I willingly and gladly believe. He was a man of many noble purposes and of many generous impulses; and he labored under disadvantages and temptations by which no other man was ever so powerfully assailed. But to us he is known only as the depositary of one of the highest trusts which was ever committed by God to any of his creatures; and, as his elevation was eminent, and his abuse of it conspicuous, so, according to a general law of our existence, was the magnitude of his offense proclaimed by the magnitude of the punishment which it drew upon himself and on those whose felicity or sorrows were inseparable from his.

If any teacher of what is called "*the positive*" shall reject this teaching as puerile or as superstitious, let him at least substitute some other explanation of phenomena which no skepticism can dispute, and of sequences which no incredulity can deny. In the mean while we will cling to our long-cherished belief that the bonds are still unbroken and indissoluble, which, as our Bibles assure us, connected together, in the days of old, the oppression of the just and the judicial chastisement of the oppressor.

March 25. 1853.

LECTURE XXIII.

ON THE ABSOLUTE MONARCHY AS ADMINISTERED BY LOUIS XIV. IN PERSON.

On the death of Mazarin, Louis XIV. had announced that he would be his own chief minister. On the death of Louvois in 1691, that boast was, for the first time, completely verified. Better had it been for France if he had continued to the last in a real, though in a disguised pupilage. He was admirably qualified to sustain the character of a king, and no less eminently unfit to discharge the more arduous office of an administrator.

Of all the external advantages which best become a monarch, both nature and fortune were bountiful, if not rather prodigal, to Louis. It was well said, that if the word "majesty" had never been in use before, it must have been invented to characterize him. His person was stately and of exquisite proportions. The consciousness of supreme authority, tempered by a generous respect toward even the meanest of his associates, gave to his countenance a noble expression, to which each of his finely-sculptured features contributed its share. In all his gestures the sense of high dignity was animated and controlled by a graciousness which captivated every one who approached him, and by an elegance which seemed instinctive in his nature. His courtesy to all men, and still more to all women, was that of a *preux chevalier*. His familiar conversation was grave but engaging, replete with curious anecdotes, and abounding in reflections well weighed if not profound, and unborrowed if not original. His more sustained elocution flowed with facility and copiousness; and if no man exacted so large a tribute of applause, none possessed in greater perfection the talent of bestowing praise which went straight to the heart, and settled there.

I doubt whether any human being ever enjoyed, in greater perfection, the blessing of nerves toned to habitual energy, and exempt from all morbid sensitiveness. Heat, cold, pain, fa-

tigue, and hunger, seemed to have no power over him. Not only his delicate courtiers, but his hardy veterans, admired the stoicism of their invulnerable king; and his mental composure was on a level with his bodily hardihood. No provocation could excite him to unseemly anger, and no calamity could depress him to unmanly dejection. If he was often the victim, he was never the slave of appetite or passion. Though constantly exposed to the allurements of the most exquisite flattery and of the most fascinating caresses, he never yielded himself to the guidance of any favorite, male or female, but adhered, with immutable constancy and calmness, to the ministers whom he had either trained or chosen.

This unshaken equilibrium of mind and firmness of bodily constitution enabled Louis to maintain a continuity of mental labor, an exact method in business, and a consistency of purpose, which imparted a certain dramatic unity of action to the whole of his long career. Under all vicissitudes of good and evil fortune, he lived for the single purpose of enlarging and consolidating the powers of his crown.

Louis was a self-worshiper; but to maintain that worship he carefully cherished in his bosom, and practiced in his private relations, the virtues which he most highly respected, such as truth, honor, courtesy, courage, and fidelity to his promises—except, indeed, the promise which he made on his espousals. It was his evil fortune to be the object of a yet more intoxicating worship from the illustrious authors by whom he was surrounded, but it was also his wisdom to make a skilful use even of that disadvantage. He appreciated, extolled, and not seldom rewarded their genius, and earned in exaggerated, but yet immortal praises, a recompense such as a thousand-fold the same expenditure of money or of labor in any other direction could not have purchased for him. Yet, if it be indeed true, as some modern French writers maintain, that the great dramatists of his age at once represented and apologized for the disorderly passions of the enamored king in the mimic heroes whom they sent to head the stage before him, well indeed had it been both for him and for them if they had substituted their keenest shafts of satire for the most seductive and eloquent of those dishonest eulogies.

I do not think that either the writings of Louis, or the his-

tories or memoires of his reign, justify any high estimate of his intellectual powers. He had indeed, in perfection, some of the talents of a mere man of business. He could sustain the weight of any number of details, however intricate or tedious; and, within a range of ideas neither very comprehensive nor very profound, was perspicacious, accurate, and persevering. But there is no proof, nor, indeed, any considerable suggestion, that he was skilful in the practical science of government, or well instructed in any of the moral sciences which are tributary to it.

His memory is, however, enshrined in Voltaire's "Siècle de Louis Quatorze." The king and his great eulogist seem to have been born for the express purpose of bearing to each other the relation of hero and historian, so complete and so harmonious was the correspondence between the dramatic majesty of the Grand Monarque of Versailles and the dramatic imagination of the philosopher of Ferney. Nature had lavished on the imperator of France all the gifts, and Fortune all the felicities, which the dictator of the republic of letters could best appreciate and portray. The dominion of either potentate has now, indeed, passed away, but the book to which this alliance between them gave birth must ever remain an inimitable monument of the greatness both of the idol and the idolater. Nor, indeed, is any one likely to hazard such an imitation. We have as little prospect of seeing a new Siècle de Louis Quatorze as a new tragedy on the story of Zaire. It is a trophy to the fame of Louis which no meaner hand can either embellish or subvert. But, while it protects his memory against all injurious assaults, it may, for that very reason, impart freedom to the attempt to estimate rightly, even though it be unfavorably, his real character as the personal administrator of the government of France.

It is, indeed, an attempt which has been made so often, and by authors of so much eminence, that, unless by sacrificing truth to novelty, I believe it to be impossible to offer any thing on the subject which would not be, in substance, a repetition of what has been said, and well said, before. The pencil and the chisel did not multiply representations of the bodily form and features of Louis during his life-time more frequently than the pen has delineated his character since his death. The his-

tories and the memoirs of his reign may be said to emulate the number and the gigantic proportions of those royal edifices by which it was illustrated; and all that remains to any one who would now pronounce a just judgment on the conduct of the great king himself, is to follow the best of the innumerable guides who present themselves to his notice. I therefore have selected M. Lemontey as my chief authority, believing as I do that his essay "Sur l'Etablissement Monarchique de Louis XIV." is at once the most complete and the most compendious of the various summaries which have been published of the facts to which I shall have occasion to refer as the basis of the conclusions which are to follow.

Louis himself, indeed, has been drawn by his own hand more distinctly, if less powerfully, than by M. Lemontey, or than by Voltaire himself. Though an illiterate man, he was a diligent writer, and his collected works fill six octavo volumes. In the first and second of them will be found his Mémoires Historiques, addressed to the Dauphin, and containing a series of instructions for his guidance whenever he should be called to wear the crown of France. The following extracts from them will explain what was his estimate of his own kingly duties and prerogatives. Yet it should be observed that these isolated passages are detached from a context which is generally honorable both to the character and the understanding of their royal author; and that his naked theory of despotism is really propounded in his memoirs, not idly or ostentatiously, but in order to enforce upon his destined successor those sacred duties which he judged to be inseparable from the possession of absolute authority.

"It is," writes the royal interpreter of the science of government, "the will of Heaven, who has given kings to man, that they should be revered as his vicegerents, he having reserved to himself alone the right to scrutinize their conduct." "It is the will of God that every subject should yield to his sovereign an implicit obedience." "The worst calamity which can befall any one of our rank is to be reduced to that subjection in which the monarch is obliged to receive the law from his people." "It is the essential vice of the English monarchy that the king can make no extraordinary levies of men or money without the consent of the Parliament, nor convene

the Parliament without impairing his own authority." "All property within our realm belongs to us in virtue of the same title. The funds actually deposited in our treasury, the funds in the hand of revenue officers, and the funds which we allow our people to employ in their various occupations, are all equally subject to our control." "Be assured that kings are absolute lords, who may fully and freely dispose of all the property in the possession either of churchmen or of laymen, though they are bound always to employ it as faithful stewards." "Since the lives of his subjects belong to the prince, he is obliged to be solicitous for the preservation of them." "The first basis of all other reforms was the rendering my own will properly absolute." Such, in his more contemplative moods, was his view of his own kingly powers. In his colloquial moments the same doctrines were more pithily compressed into his celebrated aphorism, "L'Etât c'est moi."

It was at the date of the treaty of Nimeguen, of August, 1678, that this autocratic theory had received the most complete practical development; for, at that time, the dominion of Louis was elevated to its greatest height, and was resting upon its most secure foundation. What, then, were those elements of power in reliance on which he so confidently maintained those doctrines in his own person, and so unambiguously inculcated them on the heir-apparent of his crown?

First. His lofty conception of his own regal state was sustained by the command of a regular army, such as the European world had never before seen since the days of Charlemagne, or perhaps of the Antonines. The veterans who had grown up during his minority in the lawless wars of the Fronde had been silently, but rapidly disbanded, and their ranks had been filled by boys, trained up from their youth in a strict and salutary discipline. Boileau, after attending a review of that young army, said with equal truth and humor, "Elle sera fort bonne quand elle sera majeure;" and so it happened. They were carefully instructed in all the maneuvers and military arts which Gustavus Adolphus had introduced into modern warfare. They were the first French troops who were clothed, armed, and accoutered uniformly and according to fixed regulations. They were recruited by royal officers, and not, as formerly, by the governors of the different

provinces. By the king himself, and no longer by those governors, all commissions were granted, and all promotions made among them. The ordnance, the engineers, the commissariat, and all the other military departments now, for the first time, received a regular organization. The offices of constable, high admiral, lieutenant general of France, and all the other high dignities which conferred on the holders of them a great and indefinite authority, both over the troops and in the civil government, were suppressed; and the soldier's ambition was limited to warlike distinctions, and, as the most elevated of them all, to the rank of Maréchal de France. It was in this service that Condé, Turenne, and Luxembourg had risen to the highest glory. Vauban had created the science of fortification. Louvois had administered, with unrivaled energy, the financial concerns and the internal economy of the forces whom those great generals had conducted in the field. Honors freely and judiciously bestowed stimulated the ardor of those who were able to bear arms; and the Hôtel des Invalides, the most superb of all the edifices of the capital of France, was constructed for the solace of the veterans. And thus, in the course of a few years, was called into existence the most formidable of European armies. It was trained to exact obedience, governed with perfect order, and paid with punctilious regularity. It exulted in its own achievements, and gloried in the reputation of its chiefs. But, above all, it was enthusiastically devoted to the king. At their head he had frequently, in the sieges of fortified towns, claimed for himself the post of honor and of danger, and had not seldom accompanied and commanded them in the camp. In his name every trophy was won. By him every substantial recompense was awarded; and by him, also, the honors of war were conferred with a majesty, a cordiality, and a grace which immeasurably enhanced their value.

By these methods, or by such as these, Louis had acquired that great first instrument of all arbitrary power, a soldiery who had ceased to be citizens, who regarded the military service as the only path to wealth and eminence, and who sought renown by cultivating the favor, not of their fellow-subjects, but of their sovereign alone. The legionaires of the King of France were at the same time his prætorians, and to that irre-

sistible armament the people of France had been brought into a willing, or, rather, an ostentatious subjection.

For it was not embodied for the encounter with foreign enemies alone. It was the effective instrument of the royal will in every branch of the civil government. Soldiers were ever at hand to enforce the payment of public taxes. Soldiers were ever ready to compel obedience to the orders of the executive authority. Soldiers, as we lately saw, were employed even as missionaries, to inculcate obedience to the spiritual dominion of Rome, by executing those dragonnades which brought into every Protestant dwelling every scourge which bigotry, licentiousness, and rapacity could inflict upon the wretched inhabitants.

Secondly. The civil government of France, under Louis XIV., acquired a concentration and an energy like that of some vast encampment. Eventually it became no empty boast that he would be himself his own chief minister. After the death of Colbert and of Louvois, the other functionaries of the state were not merely his inferiors or his servants, but were, in the proper sense of the word, his subordinates also. France was subject to his single will. The States-General were extinct. The Provincial States, as we shall hereafter see, had ceased to meet. The Parliaments were silent and submissive. Taxes were imposed by royal edicts, in whatever form and to whatever amount seemed fit to the great autocrat, and were levied, without opposition, from his subjects. Throughout the provinces, the ancient administrators of the local government had given place to the intendants, who, originally appointed by Richelieu, had become the immediate delegates, in every part of the kingdom, of the vast prerogatives of the crown.

The existing centralization of power in France, so foreign to our own habits of thought and action, is as ancient as the days of Louis XIV.; and his introduction of it is still applauded by some even of those who, in the present times, have the most eloquently arraigned his despotism. They draw an impressive and a just comparison between the regularity, the method, and the efficiency of his system of internal rule, and the violence, the frauds, and the extravagance of the earlier system for which it was substituted; and if his people were really reduced by any inevitable necessity to the choice between the disorders

of a dispersed and incoherent administration on the one hand, and the tyranny of a centralized government on the other, it must, indeed, be admitted that he chose for them the lighter evil of the two. But of the real existence of any such necessity I am not aware that any proof has been or could be given.

Thirdly. To secure to that central power its characteristic decision and promptitude, Louis became the founder of the police which has ever since exercised so great an influence in France. The chief objects of that institution were indeed the prevention of crime and the maintenance of the public peace, but it was also designed to secure the royal authority against all secret conspiracies and intrigues; and with that view it was supported by a systematic espionage, and became a vast net, of which the minister of police held the strings, and which inclosed almost every member of society within its invisible meshes. D'Argenson was the Fouché of the seventeenth century.

Fourthly. The absolute powers of Louis XIV. were sustained by the ecclesiastical not less than by the other orders of his subjects. In virtue of the Concordat of August, 1516, between Francis I. and Leo X., the King of France had become the patron of all episcopal sees, of all royal abbeys, and of many parochial benefices. By the skillful use of that patronage Louis was enabled to attach to his service and person every considerable family in his kingdom. Sometimes he bestowed the cure of souls upon laymen, in commendam. Sometimes he charged the revenues of particular churches with pensions for the support of his favorites. The abbeys became the appanages of noble lords or of noble ladies. The mitres were almost invariably bestowed on men of high birth but of mean fortunes. The temporalities of the Church were thus employed for the corruption of the world. The single mitigation of the evil was, that the sacerdotal aristocracy was composed of men whose hereditary rank secured for them a liberal education, elegant manners, and at least decorous lives. If, in the reign of Louis XIV., the mitre in the Gallican Church adorned the brows of no candidates for canonization, it was very rarely disgraced by the scandalous habits or open immoralities of those who wore it. Nor were the French bishops much, or often, involved in the cabals of worldly ambition. After the death of

Mazarin, Louis intrusted no churchman with any considerable authority in the state; and though he confided the education of the Dauphin to Bossuet and to Fénélon, he did not invite, and would not have permitted, even these illustrious men to exert their genius and eloquence beyond the appropriate sphere of their sacred functions.

Fifthly. The nobility of France also were constrained to minister to the elevation of their sovereign by a virtual abdication of their own. The ancient feudal chiefs had, indeed, long since disappeared, but the later Noblesse, of which Charles V. and Louis XI. were the founders, had, even from its origin, been subject to great indignities. Louis XI. ennobled not only the municipal officers of the great cities, but his own menial servant. Charles VIII., to the consternation of his age, granted the same honor to a bastard. Charles IX. sold patents of nobility by twenties and thirties at a time. Henry III. created 1000 new nobles in the single year 1576; and at last a multitude of persons assumed the same rank by a mere lawless usurpation. Louis XIV. was the first to declare against the Noblesse and their privileges that war which was at last to be triumphant in the Revolution. He instituted a severe inquiry into the validity of their pretensions to that rank, and persevered in pursuing it without regard to the bitter humiliations to which it subjected so many of the claimants of hereditary titles. He selected all the principal ministers of his crown from plebeian families; and, to induce the poor nobility to seek their maintenance by commercial pursuits, he published an edict, declaring that such occupations should derogate nothing from their rank and station in society. The exhortation and the indulgence were alike indignantly rejected, and the words Chevalier d'Industrie, then first introduced into the French tongue, are said to be the record of the preference which many of those high-born persons gave to a descent into the high road with visors and pistols, over a descent into the counting-house with pens and rulers. Their number was enormous, amounting, it is computed, to not less than 30,000 families. To deliver himself from that hungry and rapacious swarm became one of the most serious embarrassments of the king. After largely increasing the establishment of officers in the army for their relief, he at length embodied whole corps, composed exclusively

of these indigent gentlemen. The result was, to place himself at the head of the most costly, irascible, intrepid, and intelligent force in Europe. But it was a school in which the proudest learned the great lesson of obedience; for even when not under arms, the most ancient and illustrious duke was compelled to yield precedence to the youngest Maréchal de France

While the necessitous aristocracy were thus tamed in the camp or destroyed in the field of battle, the more affluent were attracted to the court by other motives. Thither came the rural lords from Auvergne, or Brittany, or Provence; for, to withhold that homage was to provoke the royal displeasure and the ridicule of society. Thither came also the noble aspirants after honors, preferment, pleasure, or fashion; for of these the court was the seat and centre. There they sacrificed their independence, and squandered their resources in dress, and equipages, and gallantry, and gaming; and there they repaired those losses by the acceptance of royal gratuities, bestowed on them in every form the best calculated to mortify the pride of rank and to wound all honest feelings of self-respect. And there also Louis, the most accomplished of gentlemen, habitually exacted and received from the noblest of his realm adulations and menial services better becoming the palace of Ispahan than the chateau of Versailles. The individual nobles who, in the reign of Louis XIII., had aspired to a competition with the royal authority, had been crushed by the iron hand of Richelieu. Their order itself was degraded by the fourteenth Louis into a band of mercenary soldiers or of servile courtiers.

Sixthly. The magistracy also was rendered tributary to his absolute power. The Parliaments had, to no inconsiderable extent, succeeded to the authority of the States-General, and under the shelter of legal forms exercised at least a suspensive veto on all royal ordinances, and especially on all fiscal edicts. Destitute as they were of all material force, they had long possessed a moral power, to which the power of the sword rendered a reluctant and almost unconscious obeisance; and the brightest page of French history is that which records the courage, the disinterestedness, and the learning of that company of pedantic lawyers. But from his boyhood Louis had been taught to regard them with antipathy and contempt. He was

but seventeen years old when, entering that venerable assembly booted and spurred, and (it is usually added) insolently brandishing his riding whip, he dissolved their meeting, forbade them ever again to prefer any remonstrance to him, and commanded them to confine themselves strictly within the limits of their judicial office; nor, during the remainder of his long reign, did he once condescend to solicit or to accept their advice. Excluded from their political functions, they found in the assiduous discharge of their duties as judges a shelter from indignities and danger; and, ceasing to be the antagonists of the king, they became the instruments of his absolute dominion. Before their tribunal he could humble the proudest grandees of France. By their concurrence he could impart a seeming legality to his taxation; and by their agency he was able to carry into execution all the severe and formidable provisions of his penal code of 1670. A more convenient bulwark could, indeed, hardly have been interposed between an arbitrary throne and the discontents of the people; for, existing as they did, not by popular representation, but by the appointment of the crown, the public indignation could always be readily directed against them, while they were altogether dependent on the sovereign for support against it.

Seventhly. The Tiers Etât, or Commons of France, were at this time in a state of abject insignificance and political impotency. They bore nearly the whole burden of direct taxation, they performed the corvées, or personal services on the public roads, and they lived under all the pressure of the feudal tenures, and of the yet subsisting seignorial jurisdictions. The incorporated towns alone retained the ancient forms of civic liberty and the semblance of their ancestral franchises. But these forms and semblances had survived the once living realities. Louis, as we formerly saw, claimed and exercised the right of superseding the elected municipal officers, to make way for officers of his own appointment, and those appointments he disposed of at a kind of public auction. In this manner he put up to sale, in 1681, all the employments at the Hôtel de Ville at Paris; and eleven years later he displaced, in favor of his own nominees, the elected mayors and judicial assessors of every other city in France except Lyons. To enhance the price of the more considerable of these civic offices,

he sometimes sold with them hereditary patents of nobility, and sometimes he consented to leave a commune in possession of its electoral franchises in consideration of the payment of a sum of money sufficient to indemnify him against what he lost by that forbearance. The extent of this abuse will be best illustrated by a single example. It is that of the city of Rennes, where, in the course of fourteen years, the king created and sold nineteen royal offices in the militia of the city, all the seats in the civic tribunals, five employments in the local police, with two in the fiscal and one in the legal departments; nor must it be omitted that, in the list of this royal merchandise, the king was not ashamed to include the office of house-porter to the Hôtel de Ville. If Louis the Fat and Louis the Saint are really entitled to the glory of having founded municipal liberty in France, Louis the Great is much more clearly entitled to the reproach of having destroyed it.

Eighthly. In a preceding lecture I adverted to the absolute dependence into which Louis had reduced the men of letters of France. It was a conquest even yet more essential than any of the rest to the maintenance of his personal supremacy. It gave him the greatest of all powers—the power of directing and controlling public opinion. It gave him, as the instruments of that power, an assemblage of writers who, even if inferior in genius to the philosophers, poets, and dramatists who have conferred immortal renown on the ages of Lorenzo and of Elizabeth, were still decidedly their superiors in the gift of forming and captivating the taste of their fellow-countrymen in their own and all succeeding generations. When Boileau was as profuse in panegyric on Louis as in satire on all other men—when Molière, who laughed at every body else, worshiped him—when Racine's devotion to his Creator was reconciled with the idolatry of his king—when La Rochefoucauld, in his "indictment against human nature," could find place for encomiums on that one bright exception—when the eloquence of Bossuet could stoop from its loftiest flights to celebrate the virtues of his royal patron—when both the learning of the Benedictines and the piety of the Port Royalists rendered a devout homage to the great monarch—and when the casuistry of the Jesuits apologized for his offenses, how could it be but that every meaner voice should join in the loud chorus of ad-

ulation, which, during more than half a century, never ceased to extol the courage, the wisdom, the genius, and the triumphs of the universal idol? And how could it be but that he who inhaled the fumes of such sacrifices, offered to him by such a priesthood, should yield his better reason to that intoxicating influence, and believe himself to be that miracle of nature which they delineated? I doubt the truth, for I can not ascertain the authority of the story, that William III. indignantly repelled the plaudits of a theatre by the question, "Do the idiots mistake me for the king of France?" But, even if untrue, it is no inapt illustration of the then prevailing opinion of the extent and of the value of the flatteries which Louis was accustomed to receive and to welcome from his subjects.

The two foundations of the absolute throne of Louis XIV. were, therefore, terror and admiration: the terror of a power which had subjugated the army, the Church, the magistracy, the noblesse, and the municipalities; the admiration of a power to which literature and art, arms and fortune, rendered their richest and their uninterrupted tribute. King-worship had never before taken so entire a possession of any Christian state. Never had the luxurious pomp of an Oriental court been so intimately and so long associated with the energies, the refined tastes, and the intellectual culture of a European sovereignty. During fifty successive years, Louis continued to be the greatest actor on the noblest stage, and in the presence of the most enthusiastic audience of the world. At how boundless an expense of toil and treasure that representation was conducted—how it was continued even in the midst of famine and all other national calamities—and how the gorgeous drama of Versailles was relieved by the yet more animating spectacle of military triumphs, or darkened by gloom of military reverses, is known to all who have read even the most familiar accounts of the Siècle de Louis Quatorze.

To substitute, however, for that general impression a more definite view of the principal results of this absolute dominion, it may be convenient to advert, however briefly, to the financial consequences of the wars into which Louis plunged; to the character of his diplomatic relations with all other powers; to the fiscal calamities induced by his waste of the national resources in maintaining the pomp and luxuries of his court; to

the effect of that lavish expenditure on the morals and manners of his age; to the iniquitous persecutions into which the possession of unrestrained power hurried him; and to the manner in which the abuse of that power contributed to the eventual subversion of his dynasty.

First, then, the wars of Louis with the other powers of Europe were commenced on four different occasions between the death of Mazarin and the Peace of Utrecht, and on each of those occasions, the French historians themselves being the judges, were unprovoked and unjustifiable. As he thought on that subject, so he wrote. "Self-aggrandizement," he informs his grandson, "is at once the noblest and the most agreeable occupation of kings." But he affected rather the glory of a conqueror than the reputation of a general. He invariably declined a battle in the field with his enemies, apparently because he would not run the risk of compromising his majesty by the indignities of a possible defeat. He as invariably availed himself of every opportunity of undertaking in person the siege of the strongest cities, because in such enterprises the genius of Vauban and of his other engineers assured him of a rich harvest of renown. But, ere long, he wisely abandoned to his officers the conduct of his armies. His keen sense of ridicule taught him that a king of France could not, in imitation of a Persian sophy, carry with him to the wars his courtiers, and courtesans, and mimes, and cooks, and sideboards, and stage scenery, without provoking from the wits and jesters missiles to which even his artillery could make no effectual answer. He therefore withdrew from the camp the luxuries of his court, but not without drawing to his court much of the licentiousness of the camp. A great, though not an intolerable evil; but the evil of his habitually maintaining those vast encampments was such as could be endured neither by his neighbors nor by his people. It is with hesitation, because it is with a full knowledge how great are the fallacies to which statistics so often give shelter, that I transcribe the common estimate of the number and the cost of his great armaments. It represents the standing army of Louis as having amounted to 400,000 men under arms, or, as I rather understand the statement on the muster-rolls, and it assures us that, for the support of the ten campaigns of the war of 1688, the

French treasury disbursed between forty and forty-one millions of pounds sterling, and between eighty-one and eighty-two millions of the same money on account of the twelve campaigns of the war of 1701. Prodigal as such a waste of treasure may seem, well had it been for mankind if that waste had been the most calamitous result of those campaigns; but, to the disgrace of our common Christianity and of our common nature, History has a far darker tale to tell of the utter ruin and desolation, by the armies of Louis, of the defenseless cities of Spires, Worms, and Oppenheim, of all the territories of Treves and Baden, and of all the towns, villages, and hamlets of the Palatinate, and of the unarmed inhabitants of those once smiling regions—crimes which, as they were wantonly perpetrated in cold blood, and by one Christian and civilized people upon another, threw into the shade the worst ravages of Attila or Genseric, and almost challenged a comparison with the atrocities of the day of St. Bartholomew.

Nor was the character of his diplomatic relations with other powers more defensible. In his pursuit of that "noblest and most agreeable occupation of kings — self-aggrandizement," Louis not only violated all the laws of nations and of humanity in his warfare with his enemies, but was deliberately, and on principle, regardless of the obligations of good faith toward his allies. "In dispensing with the exact observance of treaties (such is the language of his instructions to the Dauphin), we do not," he says, "violate them; for the language of such instruments is never to be understood literally. We must employ, in our treaties, a conventional phraseology, just as we use complimentary expressions in society. They are indispensable to our intercourse with one another, but they always mean much less than they say." "The more unusual, circumspect, and reiterated were the clauses by which the Spaniards excluded me from assisting Portugal, the more evident it is that the Spaniards did not believe that I should really withhold such assistance."

Machiavelli never taught a more dissolute doctrine, nor Escobar a more convenient sophistry; nor did Molière ever ascribe to his Mascarilles a greater proficiency in imposture, than Louis XIV. thus openly avows and attributes to himself. Nor did he write thus to amuse himself with a barren theory or a

pleasant exaggeration. He actually rendered to Portugal the aid which he had just engaged to withhold from her. He established a title to the states of Lorraine, and to the cities of Colmar, Strasbourg, and Casal, by artifices at which Gil Blas de Santillane would have been scandalized. He despoiled the Duchesse de Montpensier of her vast inheritance by a stratagem better befitting the bachelor of Salamanca than a great king. At the moment he was bribing Charles II. to betray his people, he was also exciting the remnant of the Cromwellians to revolt against Charles.

But neither the deceits nor the injustice of Louis irritated mankind so profoundly as his insolence. His statue, at the feet of which all nations were exhibited crouching and in chains, represented to the admiring Parisians the haughty spirit of their sovereign not less distinctly than his noble person. He avenged the slightest shadow of an imaginable wrong by the most galling insults. From such indignities Genoa was not rescued by her weakness, nor Holland by the advantages, political and commercial, of her alliance, nor Rome by the religious veneration rendered to her pontiffs. And therefore, when Philip II. and Louis XIV. had both, at length, been humbled before the same Batavian marshes, the nations of Europe exulted more in the overthrow of the arrogance which had made war with the United Provinces, to punish the discourtesy of a medalist and a gazetteer, than in the defeat of the bigotry which had decimated the Dutch people to establish the Inquisition.

If the immutable laws of God had not decreed that such wars, however successful, should be followed by a fearful rebound of misery against the aggressors, this earth would not be habitable. The French nation never recovered the waste of strength and treasure in the campaigns of their once idolized monarch, until his dynasty and his institutions had been subverted in the same common ruin. To this day they have never effectually recovered the wounds inflicted on their national self-esteem by the humiliations of the war of the Spanish succession. And yet neither the loss nor the shame incurred by those disastrous conflicts were so deeply injurious to the subjects of Louis, as the fiscal calamities induced by his waste of the resources of his people in maintaining the pomp and luxuries of his court.

Among the many conjectural estimates of the sums squandered by him on fêtes, gardens, palaces, gratuities, unmerited pensions, and other prodigalities, it is difficult to make any confident preference. But the highest of them will scarcely seem incredible to the readers of Danjeau and St. Simon, or to those who contemplate the sumptuous edifices which still embellish Paris, and Marly, and Versailles, and least of all to those who bear in mind the economical illusions under which he acted.

Those illusions taught him that his extravagance was not only not injurious, but positively beneficial to his subjects. When Madame de Maintenon solicited him to relieve the mendicants who thronged his palace gates, he made what M. Say calls "that precious and terrible answer, which taught how to ruin a nation upon principle." "A large expenditure," he said, "is the alms-giving of kings," and he gave such alms until France had nearly been reduced to one vast receptacle for paupers.

His fiscal measures, after the death of Colbert, attest the utmost extremity of distress. The invention of stamp-duties, and the creation and sale of an oppressive monopoly of tobacco, were comparatively unimportant. Far more burdensome was the duty on all alienations of land, with the auxiliary enactment that no lease should be made to continue in force for more than nine years from its date, that so the alienation tax might be exigible at the end of every such term. Yet more vexatious still were his taxes on marriages and baptisms, and on all the other great transactions of life, which provoked the abandonment of all religious ordinances in those provinces in which they did *not* provoke partial insurrections. But of all the imposts of the bewildered monarch, the most offensive and intolerable was the royal tithe. In the midst of his military pursuits, Marshal Vauban had devised a plan for substituting a tax of ten per cent. on the annual income of all immovable property for a multitude of more vexatious and less profitable duties. Under the shelter of the name of that great man, Louis promulgated an edict for giving effect to this project; but with the difference, that whereas the Marshal of France had contemplated a royal tithe in exchange for other burdens, the King of France imposed it in addition to them.

Nor was this all. The money borrowed on the credit of those revenues created a national debt, which, when due allowance is made for the value of money in that age, appears stupendous even now, with all our lamentable familiarity with such subjects. I reject, indeed, as a mere extravagance, though I know not how to reduce to the level of truth, the statement that it amounted to no less than £200,000,000 sterling. But the acceptance of such an exaggeration by writers not habitually credulous or inaccurate is itself some proof that the real amount of the burden transmitted by Louis to his descendants was such as was best expressed by hyperbole, in the absence of any exact means of knowledge.

The more prominent results of this extravagance were perceptible to the contemporary memorialists of the court and times of Louis XIV. Smuggling became a trade in which none were ashamed, and few were afraid to engage. Whole bodies of cavalry deserted their ranks to take their share in it. On the northern and eastern frontiers, the half-famished garrisons were in revolt. At the beginning, as at the close of the eighteenth century, the place d'armes in front of the chateau of Versailles was thronged with hordes of destitute people clamorous for relief. At length Louis the Magnificent himself was driven by want to Paris, humbly to sue, in person, for loans at an extortionate usury from Samuel Bernard, and the other money-lenders of his capital.

But to those who had eyes to see and hearts to understand, there were perceptible still more impressive proofs than these of the calamities in which the prodigality of a king may involve his people. Wanton wars and heartless luxuries had corrupted the moral sense of that voluptuous court. The theatre of Paris, at this day, would not tolerate the tone in which, at that time, the great Molière mocked at conjugal fidelity in comedies written for the theatre of Versailles. The great monarch himself violated that duty openly and ostentatiously. He raised to the line of succession to his crown the sons borne to him by the wives of other men while his own wife was still living. That gaming flourished there to the most extravagant excess, we know from the strange avowals of the courtly Danjeau; but, unaided by the caustic St. Simon, who would have conjectured that in those splendid halls a fraudulent gamester

could be regarded in the light of an ingenious, pleasant companion? He tells us of a duke who frequented the royal circle, and who, he says, "was better liked by the king, and had more influence in society than any body. He was," proceeds our author, "magnificent in every thing and a great gambler, and did not pique himself in fair dealing in his play; but many other great lords did the same, and only laughed at it." The ladies also, as we learn from the same authority, imitated the example. But the female conscience had, it seems, a peculiar tenderness on the subject of cheating at cards. No lady could think of retaining such unrighteous gains. No sooner had she touched them than she religiously gave them all away. But then, it must be added, the gift was always made to some other winner of her own sex. By carefully avoiding the words "interchange of winnings," the fair casuists seem also to have avoided all self-reproach, and to have had an easy escape with their discreet and lenient confessors. In this singular society were young gentlemen also, who relieved the tame formalities of other conversation by admitting to their tables and familiar intercourse notorious criminals, who had animating stories to tell of their own desperate achievements as forgers or as highwaymen. And young and old were alike engaged in that scandalous traffic in penalties and forfeitures, which Mr. Macaulay has so vividly depicted in his portraiture of the court of James II.

Among the victims of the law in France there were always to be found both the innocent and the rich. To multiply their number was to open a vein of wealth to many a necessitous sycophant of the court. As the miner of California to some newly-discovered digging, or the vulture of those regions to the scent of some recent carcass, so hurried the lords, and even the ladies, of Versailles in search of forgotten penalties, or uncollected forfeitures, or obsolete offenses, for which the offenders might still be subjected to fines or confiscations. Sometimes the whole of any such game, when hunted down, was thrown by the lavish king to the informers; sometimes he himself participated in the spoil. There were not wanting cases in which even the princesses of his house were enabled, by such resources, to repay the expenditure of the wardrobe and the gaming-table. The Duke of Orleans is said to have extracted

a million of livres from an officer in charge of the military chest, who had been made over to him to be subjected to the *peine forte et dure* of a judicial process. In this crusade against wealthy criminals, the only persons who were absolutely excluded from the field were the destitute kindred, who were to partake of the ruin, though they had not partaken of the guilt of the offenders.

It is said by M. Lemontey that it was at this period that the word "honnête" exchanged its primitive for its actual meaning in the French vocabulary; that, till the latter half of the reign of Louis, an "honnête homme" was the name of an upright, not for an inoffensive man; that, when a man's descent was said to be honnête, he was complimented on the virtuousness of his progenitors, not reminded of the mediocrity of their condition; and that, when his family were described as honnête, it was an acknowledgment that they belonged to the middle ranks of society, not a suggestion that they were plebeians. If the remark be accurate, it is a curious instance of the connection between philology and history, and of the influence of the French court on the vernacular language of France.

But the most impressive record of the misgovernment of Louis is to be found in those religious persecutions into which he was hurried by the possession of an absolute and irresponsible power. On the woes which he inflicted on his Protestant subjects I have already spoken. But even the members of his own religious communion had terrible penalties to pay for any dissent from his opinions. At the distance of three leagues from Versailles stood the splendid church and monastery of Port Royal des Champs, where dwelt the Mère Angélique and her saintly sisterhood, and near them Pascal, Arnauld, Nicole, De Sacy, and their illustrious fraternity. Those learned men had declared themselves unable to find in the "Augustinus," a posthumous work of Cornelius Jansen, bishop of Yprés, five propositions, which the Pope had discovered there, and had censured as heretical. Those holy women, being unable to read the Latin in which the book was written, had refused to affirm, either under their hands or with their lips, that those propositions might be found there by those who could read it. For these offenses the king dispersed the whole of the brethren of Port Royal, and exiled many of them, lev-

eled the monastery to the ground, exhumed and gave to the dogs the dead bodies of such of the fraternity as had been buried there, and committed the survivors to an imprisonment from which death alone released them.

If the picture which I have thus laid before you of the administration of the government of France by Louis XIV. be indeed accurate, how, it may be asked, could it happen that no voices were raised in his own times and country to anticipate the reproaches of posterity? There were assuredly not wanting many men wise enough to perceive such evils, or courageous enough to protest against them. Why, then, were no such remonstrances raised?

I answer, first, by referring to the explanation which I gave in a former lecture of the methods by which literature had been not merely silenced on all political questions, but had been brought by the court into a dependence which was the more servile, because it was willingly, and even ostentatiously borne. I answer, next, by denying the statement that the silence of the great men of France on these subjects was as complete as it is usually supposed to have been. Among such men a very high place is due to Fénélon, and to his pupil, the Duc de Bourgogne. Now every one is agreed that the romance of Télémaque was designed to point out to the heir to the crown of France some of the enormous abuses of the government of his grandfather. But the Télémaque is neither the only nor the most impressive of the protests made on that subject by its eloquent author.

It is impossible to state with precision what was the date of the letter from Fénélon to Louis XIV., which is to be found in the eighth volume of the works of D'Alembert, although it is certain that it was written after the death of Louvois in 1691. In her preface to Danjeau's Memoirs, Madame de Genlis has, indeed, disputed the authenticity of that letter altogether. She supposes it to have been forged by the skeptical philosopher who first gave it to the world; and she suggests that he was prompted to commit this crime by his desire to give to his own disloyal principles the apparent sanction of one of the most revered of the divines of France, who was, at the same time, one of the holiest of her saints, and one of the most considerable of her men of letters. To myself the imputation

appears altogether incredible. It was in his official character of secretary to the Royal Academy that D'Alembert published his Eloge on Fénélon, and the letter which is appended to it. To have been detected in the fraud imputed to him would have been to expose himself to infamy and ruin; and the detection would have been perfectly easy, as he declared his manuscript of the letter in question to be authenticated by the handwriting of the Archbishop of Cambray himself. Little respect is indeed due to the political or religious principles of D'Alembert, but he was neither wicked enough nor foolish enough to expose himself to so terrible a risk merely to gratify himself by blackening the reputation of a deceased monarch. Madame de Genlis's suspicions are also, I think, repelled by her own elaborate and indignant demonstration of the exact harmony between the supposed letter and many passages of the Télémaque. I therefore suppose it to be genuine, and I think that the following extracts from it will demonstrate that one of the most profound and of the closest observers of what was passing in the court and kingdom of Louis XIV., regarded his administration of the government of France in a light even more unfavorable than that in which I have hitherto represented it.

"He who takes the liberty, sire," such is the commencement of the letter, "to address this communication to you, is one for whom the interests of this world have but little value. He is not prompted to write by pique, by ambition, nor by the wish to intermeddle in great affairs. Though you know not who he is, he loves you, and reveres in your person the delegated authority of God himself." . . . . "Be not surprised if he addresses you in terms of unusual emphasis. He does so because truth is at once free and fearless; but to truth you have not been accustomed to listen."

"Your heart is naturally just and equitable. But they who had the charge of your education taught you, as your only principles of government, to be suspicious, and jealous, and haughty; to keep virtue aloof, to dread all eminent merit, to prefer the society of the flexible and the cringing, and to cherish an exclusive regard to your own personal interests."

"During the last thirty years, your chief ministers have deranged and reversed all the ancient maxims of our govern-

ment, in order to elevate your authority, or, rather, that they might increase their own; for that authority was not really in your hands, but in theirs. The state and the laws are no more mentioned among us. The king and the royal pleasure are now all in all. Your ministers have infinitely extended both your revenue and your expenditure. They have extolled you to the heavens for having eclipsed the splendor of all your predecessors, or, in other words, for having impoverished the whole kingdom, that so you might introduce into your court a luxury alike monstrous and incurable."

"You have, indeed, been jealous of your authority; too much so, perhaps, in whatever relates to mere externals; but, within his own appropriate province, each of your ministers has in reality been your master. Because you marked out the limits of the respective functions of those who really conducted your government, you imagined that you were yourself governing. They have been severe, haughty, unjust, violent, faithless. Whether in governing at home or in negotiating with foreign powers, their only system has been that of menacing, crushing, and annihilating their opponents. They have habituated you to flatteries so outrageous, and even so idolatrous, that your own honor required your indignant rejection of them. They have rendered your name odious to the people of France, and insufferable to your neighbors."

Then, after an exposure of the injustice of the wars and conquests of Louis, the writer proceeds: "Enough, sire, has been said to show you that, during your whole life, you have been wandering from the path of justice and of truth, and, therefore, from the path which the Gospel prescribes. That long series of fearful calamities which have desolated the whole of Europe during the last twenty years, the blood so profusely shed, the multitude of the scandals which have been given, the cities and the villages laid in ashes, have been the lamentable results of that war of 1672, which was undertaken for your glory, and for the confusion of the gazetteers and medalists of Holland."

"Your people, whom you are bound to love as your children, and who have been enthusiastically devoted to you, are dying of hunger. The land is nearly thrown out of cultivation. The cities and the country are depopulated. All trades are lan-

guishing, and unable to afford subsistence to the artisans. All commerce is extinguished. In order to make and to defend your vast external conquests, you have destroyed one half of the internal resources of your kingdom. All France is but one great hospital, desolate, and unprovided with the necessaries of life. It is yourself, sire, by whom these disasters have been created. In the ruin of France, every thing has passed into your hands, and your subjects are reduced to live upon your bounty."

"You do not love God. You do not even fear him, except with a servile terror. It is not God you fear, but hell. Your religion is made up of superstitions and of petty superficial observances. Scrupulous about trifles, you are untouched by the most terrible responsibilities. Your own glory, your own advantage, are the real and only objects of your love. You refer every thing to yourself, as though you were the very God of this earth, and as though every thing else in it had been called into existence only that it might serve as a sacrifice to you."

Then follow very unfavorable portraits of the Archbishop of Paris; of La Chaise, the confessor of the king; of Madame de Maintenon, and of his other confidential advisers, with a denunciation of their infidelity to that great trust. "Perhaps," proceeds the letter, "you may ask what they, who are thus in your confidence, ought to say to you. I answer, they ought to say thus: 'Humble yourself under the mighty hand of God, if you would not that God should humble you. Submit to the humiliation of making peace, and so expiate the glory which you have made your idol. Listen no more to the counsels of your flatterers. Restore to your enemies the conquests which you can not retain with safety or without injustice.' Sire, he who tells you these truths is so far from being an enemy to your real interests, that he would lay down his life to see you such as God would have you to be; nor does he ever cease to pray for you."

Although I credit D'Alembert's assertion that he transcribed this letter from a manuscript authenticated by Fénélon himself, yet there is no proof that it was ever transmitted to Louis, or that he ever saw it, or heard of it. For the credit of the king, I would gladly believe the story that it was conveyed

to him by Beauvilliers at the instance of the writer; for if it be really the fact that he received such a communication from the tutor of his grandson, and afterward promoted him to the archbishopric of Cambray, we must all admit with D'Alembert that, for once at least, he nobly earned the title of "the Great."

I have stated that the Duc de Bourgogne was one of those who felt and acknowledged the abuses of the government of his grandfather. I do not, of course, mean that he ever assumed the indecorous and undutiful office of a censor of the conduct of Louis XIV. Nothing could have been more repugnant to the spirit of that admirable prince, or to the lessons which he had received from Fénélon. But the Télémaque was written for his instruction, and in the imaginary court of Idomenée the duke unavoidably recognized the image of the court of Versailles. The impression left on his mind by that, and by the similar lessons of his Mentor, was profound and lasting. He had a clear view of the evils under which France was laboring. He had a distinct foresight of the coming tempest, and an ardent desire to avert it. Among the papers which he left behind him was one which attests how deeply these subjects had engaged his thoughts. It was a complete scheme of constitutional reformation. It contemplated the revival of the States-General, and of the States of the various provinces, and the periodical convention of assemblies of the people in every canton of France. On the basis of these central and local institutions, and through their agencies, he hoped to provide at once for the stability of the throne and for the good govern- of the people, with their own support and concurrence.

If the Duc de Bourgogne had been permitted to ascend that throne, and to carry his project into execution, what would have been the probable results of it? If the answer to that question were to be given by persons imbued with the spirit of our own government, it would probably express their conviction that such a reform would have given to France the greatest blessings for which any nation could be indebted to the sagacity and patriotism of its rulers. By such critics it would be applauded as a well-devised bond for the indissoluble union of the past, of the present, and of the future; as calling into healthful activity all those popular instincts and local attachments which constitute the main-springs of the life and

health of a great nation; as rendering tributary to the service of the state those home feelings, which, of all feelings, act with the most constant and irresistible energy; as affording to the various sections of the commonwealth the means of an invigorating yet amicable rivalry; as productive of that social harmony of which the indispensable basis is to be found only in diversity and in contrast; as providing for that concentration of power without which the state is impotent, and for that diffusion of power without which the central dominion must be despotic; and, above all, as affording the means of acquiring those habits of self-government which constitute the ultimate perfection of any civil polity.

All such anticipations and predictions would, however, I suppose, have been derided by the French philosophers of that age if they partook of the philosophical opinions which most find favor in France in our own. M. Alexandre Thomas, for example, the author of a book published in the year 1844, under the title of "Une Province sous Louis XIV.," would smile at such reveries as the dreams of narrow-minded men, by whom the region of pure ideas had ever been, and must ever be, unvisited; for in that book he describes the state of Burgundy from 1661 to 1715, in order to establish the conclusions that the institutions of that province, and that the French provincial institutions in general, in the reign of Louis XIV., were so entirely and irremediably absurd, that they never could have served as the foundations of any safe or salutary national reformation. M. Thomas is no ordinary writer. When he addresses himself to the arrangement of evidence and to the narration of facts, he combines much of our English good sense with no less of the buoyant vivacity of a Frenchman. But when he unveils his theories, and writes as a philosopher, his style undergoes an extraordinary change. Between the glare of his eloquence and the darkness of his metaphysics, my own mental vision, at least, is effectually dazzled and overpowered. Nevertheless, as both his facts and his theories have a direct and very important bearing on any judgment we can form on the administration of the government of Louis XIV., I will not decline the attempt to indicate, though in as few words as possible, what are the discoveries, philosophical and historical, for which his readers are to be prepared.

I collect then, that, according to the doctrine of M. Thomas, there is a certain general law which regulates the progress of political society. Emerging from chaos, where its elements battle with each other in wild confusion, it makes a steadfast, though it may be a tardy, progress toward that perfect symmetry and order in which its ultimate perfection consists. Thus the anarchy of the tenth and eleventh centuries was the chaotic period of France. Out of that abyss first arose the feudal oligarchy—a state of orderly disorder. Then succeeded the Capetian despotism, destined to crush one after another of the countless feudal privileges, whether local and personal—whether corporate and municipal—whether legislative, administrative, or judicial, which, as so many conflicting wrongs, were arrayed one against another in unappeasable hostility. When the iron grasp of "royalty" had subdued and annihilated them all, then "royalty," in the midst of the triumphs she had won, presented herself to the nation, in the person of Louis XIV., as the one gigantic privilege, the conqueror and the survivor of all the rest. Her "mission" was now fulfilled; and when at last the indignant nation raised her voice in anger, "royalty," confessing her own inherent weakness, bowed her head and fell. Then appeared a long succession of revolutionary systems, each of which, in turn, made some great stride toward that ultimate consummation of symmetry and order which form the perfection of political society. Distant as that perfection may appear to some, yet France has already attained, by the overthrow of all privileges, to unity, that is, to the concentration of power in the supreme government; to equality, that is, the absolute uniformity of the political franchises of all citizens; and to liberty, that is, the sovereign dominion of the people themselves. Unity, equality, and liberty are, therefore, those mighty and unrivaled powers, under the guidance of which France is advancing toward that high estate of national greatness and of social harmony toward which no other European people have as yet light enough even to aspire.

Perhaps the high tone of M. Thomas's coloring might have been subdued a little if he had postponed the publication of his book from 1844 to 1848. But the new shapes which unity, equality, and liberty assumed in the last of those years, would have detracted nothing from the value of the facts by which

he undertakes to show how desperate and irremediable was the misgovernment of the French provinces during the reign of Louis XIV. I shall not, of course, affect to compress the results of such extensive inquiries into the fragment of time which remains at my disposal to-day. But neither can I entirely pass them over, for they are of the utmost importance in resolving the question whether Louis XIV. was more wise in extinguishing the privileges of the provinces of France, or the Duc de Bourgogne in regarding them as the ready basis on which to erect a free constitutional government.

It appears, then, from the researches of M. Thomas, that in the seventeenth century the généralité of Bourgogne comprised, first, the duchy of that name, then five counties, and, finally, three pays d'élection. The duchy and counties were under the immediate government of the Burgundian States-General during their sessions; and, in the intervals of those sessions, they were under the government of officers called élus. The Burgundian States-General were composed of the clergy and the nobility of the duchy, and of the deputies of the Tiers Etât. Each of the five counties sent thither deputies, representing the Tiers Etât of each. But the pays d'élection were not so represented. They were under the immediate government of the crown.

The sessions of the Burgundian States-General were holden once only in each three years, and were continued during about twenty days. Thus, with the exception of about three weeks in as many years, the duchy and the counties were destitute of any representative government, but lived under the authority of the élus.

Each order appointed its own élu, and other officers, called alcaids, who were to superintend and to control them. Each county had, in the same manner, a separate assembly, which appointed the élu for the county. There were also royal officers having the same title of élus, who were associated with the nominees of the States-General and of the county assemblies.

Over all this official hierarchy presided the governor of the province of Burgundy, who represented the person of the king himself, and was invested with his prerogatives. In the seventeenth century, this government had passed into the hands

of the great and powerful family of Condé, who held it with an authority not very remote from that with which, in earlier times, the princes of the royal house had held their apanages.

This scheme of provincial administration already appears sufficiently complicated; but the want of symmetry, and what may be called logical method, was still more remarkable in the composition of the Burgundian States-General. Our own ancient anomalies of the deserted mount of Old Sarum, or the highly-ornamented park and gardens of Gatton, sending each two members to the House of Commons, when the great manufacturing cities of the north sent no members at all, were not more strange than the anomalies according to which the Burgundian States were constituted. They comprised between 400 and 500 members, of whom 72 only were commoners, the rest being clergy or nobles, who were not elected by their respective orders, but who held their seats *proprio jure*. Then, again, no one was eligible as a deputy of the Tiers Etât unless he were a mayor or one of the chief échevins of a city; and of the two deputies representing the same place, one only had a vote. Neither could the deputies of the Tiers Etât select their élus and alcaids at their pleasure. They were bound to choose them from the citizens of particular cities according to a rotation, of which some cities had the benefit only on each alternate election, and of which other cities had so little share that they might be said to be almost wholly excluded.

These anomalies (and many more which I omit) were reducible to no assignable principle whatever, but had their roots only in obsolete traditions and inveterate prejudices, and the proceedings of the States-General were marked by a corresponding instability of purpose and of character. During the reign of Louis XIV., the hero of their history is Nicholas Brulart. He was the member of one of those high judicial families which transmitted, from one generation to another, the presidency of the sovereign courts; and Brulart therefore, at the age of thirty-four, found himself first president of the Parliament of Dijon. In that capacity he acquired great renown by his inflexible opposition to the commands of Mazarin. Having been sent to Perpignan as a prisoner for refusing to register some of the edicts of the cardinal, he was released, and when the Prince de Condé again tendered to him the obnox-

ious edicts, "M. le Prince," was his celebrated answer, "the towers of Perpignan are distinctly visible from the place where we stand." In fact, Brulart was the very ideal of a French magistrate, really independent in his spirit, and not without a certain theatrical sublimity of demeanor and of discourse. But when Mazarin died, and Louis XIV. announced himself as his own chief minister, Brulart became an altered man. No longer sententious and epigrammatic about the dignity of his judicial character and the majesty of his office, he became an eloquent vindicator of the absolute and irresponsible authority of the young sovereign. Nor was this servility or baseness. Brulart, looking on the scene before him with the eye of a statesman, as statesmen went in those days, seems to have been sincerely convinced that the power and greatness of the state were inextricably bound up with the unrestricted power and independence of the king. In the name of the Burgundian States-General, and as their president, he delivered a series of discourses, the general tone of which may be fairly inferred from the following extract from one of them:

"The king being the first, and the permanent spring of all tranquillity and virtue in his dominions, every thing within them follows his impulse, and derives its character from him. Every profession is adorned by his virtues. The sciences are advanced, manners are purified, and religion is at length in repose; the calm is profound, the law is obeyed, the people are tranquil and happy under his government; and all these blessings are the fruit of that sublime composure of mind with which he regulates all these interests, and watches over them all."

Such, during the twenty prosperous years of the reign of Louis, was the style of the States-General of Burgundy, and of Brulart their president, in all their communications to the king or to his representatives. They were content to follow the chariot-wheels of the conqueror, and to swell the loud chorus of adulation. But with the reverses of Louis XIV., the language of the Burgundian States-General underwent a total revolution. Eulogy gave place to bitter remonstrance, and the idol of yesterday became the object of the obloquies of to-day. M. Thomas pursues, in full detail, the history of these vicissitudes, and then pursuing the career of the communes of Bur-

gundy and of the Parliament of Dijon, convicts them all, in turn, of that instability of character, caprice, and unreasonableness, from which I suppose few such bodies would be found to be exempt, if their portraits were delineated with equal fidelity, and by as picturesque a pen. The particular inference is, that petty passions and local prejudices, unsettled principles and fluctuating opinions, narrow privileges and warring interests, disqualified the States-General of Burgundy for the position assigned to them by the Duc de Bourgogne in his meditated constitution of France. The more general inference is, that as the States-General of the other provinces were in no essential respect superior to those of Burgundy, the duke's scheme rested altogether on a foundation of sand.

To a certain extent I am not disposed to controvert or to doubt this conclusion. On the contrary, I think that M. Thomas has well explained why the provincial governments of France were impotent to control the central authority, and were, at the same time, indisposed to co-operate with it, and were not, in fact, elements out of which a system of order and of good government could have spontaneously arisen.

But I am aware of no proof, nor of any argument to show, that the evils of these provincial constitutions were irremediable. I do not believe that the Duc de Bourgogne meditated building on such foundations until they had undergone the improvements which they both admitted and required. His policy was at once to adhere to the ancient usages and landmarks, and to improve them; and if he had lived, he would at least have attempted to meet the exigencies of "the great innovator, Time," by reformations, to be sanctioned and established by the people at large, both in the States of the various provinces, and in the States-General of the kingdom at large.

I gather, however, from such acquaintance as I have with the modern literature of France, that M. Thomas expresses the general opinion of his contemporaries and fellow-countrymen in commending Louis XIV. for reducing the provincial States to utter insignificance, instead of assigning a place for them in any enlarged basis of his government. Louis at present enjoys the praise, such as it is, of having extinguished, one after another, all the institutions of France, which, if not so overthrown by him, might, it is said, have enabled his dynasty to wage a

successful war against the democratic usurpations of the eighteenth century. He is extolled as a great innovator in his own despite, as having well fulfilled his high destiny of contributing more than any other man to the preparation of that tabular rasa, on which modern philosophy was to inscribe so long a series of constitutions, charters, and schemes of revolutionary government.

To myself it appears a mere prejudice to deny that France has derived from the subversion of her ancient monarchy secular advantages so vast, that even the incalculable price which she has paid for them may not, perhaps, have been excessive. Louis XIV. may be really entitled to the praise of having been the unconscious instrument of bringing those results to pass, but it is no very exalted commendation. Still less is it any good title to renown, if, as I believe, the motives by which he was guided were for the most part selfish, narrow, and contracted. Yet I would gladly, if possible, concur in the enthusiasm which his name even yet excites in the land over which he reigned so long. Although there be no national prejudices predisposing us to such feelings, and though there be many such prejudices indisposing us to them, there is yet in the image which presents itself to us, as we read his own writings, the memoirs of his friends, and the eulogies of his admirers, something which it is impossible not to admire, something which we must occasionally revere, and something which we must now and then even love. Yet, when ceasing to think of the man as he lived among his kindred and his friends, we estimate the king as he governed the people subject to his power, a far more unfavorable judgment on him seems to me inevitable.

"L'Etat c'est moi" became at length no empty boast, but the arrogant avowal of a melancholy truth. In the lips of the sultan or of the sophy it would have been not only an exact, but a very reasonable epitome of the constitution of his despotism. In those Oriental autocracies, the science of government is reducible to the stern alternative, that the ruler must either strike off the heads of those who resist his will, or forfeit his own head. But the system of the French monarchy was never thus terribly simple. It was most remote from such simplicity in the days of Louis XIV. It was, on the contrary,

a complex mechanism, of which each part was essential to the activity of the rest. It was a living body, the vitality of which consisted in the conservation and mutual support of all its integral members. To detach the crown from its alliance with the States-General, with the Provincial States, with the Parliament, the Municipalities, and the Magistracy, was to aim a suicidal blow at the crown itself. They were the buttresses of the throne, which could not long stand erect after their overthrow. They were the bulwarks of the third dynasty, which was evidently foredoomed to perish as the inevitable consequence of their fall. That ancient and venerable aristocracy of privilege, which, by attracting to itself the homage of the people, was enabled in its turn to render to the sovereign a yet more important homage, could not be degraded by him without inducing his own degradation.

But pride and flattery blinded the eyes of Louis to these obvious and familiar truths. He would be the one power in the state, and presumptuously imagined that such independence and isolation might be at once practicable and enduring. He had the presumption to invite literature and commerce to take shelter beneath that solitary rule, not perceiving that he was thus about to nourish the infancy of powers which, in their maturity, must annihilate the protector beneath whose shadow they had grown up. He had the temerity to rule, as well as to reign, in his own person, not foreseeing that the responsibility thus incurred must one day be fatal to the reverence, the admiration, and the terror which formed the real basis of his authority. But, above all, he forgot that no dominion can at once be hereditary and despotic; that although he might transmit to his descendants his own extreme and unlimited rights, he could not transmit to them the talents or the fortune necessary to render such rights effectual; and that, according to the established laws of nature, an heir and successor to his crown must ere long appear, who would want the capacity to sustain that burdensome inheritance, and who yet would be neither willing to abandon it, nor able with safety to attempt so hazardous a resignation.

LECTURE XXIV.

THE GROWTH OF THE FRENCH AND THE ENGLISH MONARCHIES COMPARED.

"How did it happen," asks Voltaire, "that, setting out from the same point of departure, the governments of England and of France arrived, at nearly the same time, at results as dissimilar as the constitution of Venice is unlike that of Morocco?"

The object of all my preceding lectures has been to answer that question so far as it relates to France. To answer it fully, in relation to England, would require me to make a still larger demand on your time than I have already made. The subject is far too extensive to be discussed accurately, or even intelligibly, in any brief space, and yet it is too important to be altogether passed over in silence. I propose therefore, at present, merely to lay before you what I regard as the substance of the answer to the problem which I have stated, reserving for some future time the more complete exposition and defense of what I am about to offer. I must begin, however, by taking a very rapid retrospect of the ground which we have already traversed.

It was long doubtful whether the empire of the Western world would belong to the Roman or to the Gallic people. If, in the result of the protracted struggle between them, those whom Rome called barbarians had triumphed, our poets would now have been writing "Lays of Ancient Gaul," founded on a basis at once more romantic and more certain than the existing legends of Livy; for, while the inhabitants of the Seven Hills were engaged in an obscure warfare with the petty towns and villages of Central Italy, the people of Gaul were extending their power over the western limits both of the Asiatic and of the European continents, and were leaving an indelible impression of their name and language from Galatia to Gallicia and Portugal—from Galway to Galloway and Galles or Wales. Of all the nations over whom triumphs had been cel-

ebrated at the Capitol, none had herself won so many conquests, and none gave so large an accession of strength and glory to the all-conquering republic.

Gaul ceased to be a nation without becoming, in sentiment or in spirit, an integral member of the empire. Her civil institutions no longer imparted security, honor, or advantage to the citizens. Her agriculture withered away under fiscal oppression. Vast tracts of country were abandoned to barrenness. Large parts of her territory were cultivated, not by freemen, but by slaves. Her ancient language gave place to that of her conquerors, and the melancholy triumphs of despotism were incomplete only because the Church mitigated the calamities which even she was unable to avert.

Gaul, therefore, fell an easy prey to her German invaders. They settled in the south and in the east, to relieve rather than to augment her sufferings; but the barbarous Franks dispossessed the Gaulic proprietors of the north and of the west of a large part of the soil, and, to a great extent, even of their personal freedom. Though the long-haired Merovings ruled from the Ebro to the Meuse, and over the whole of Western Germany, it was a nominal rather than a real dominion —the ill-cemented alliance of a multitude of independent and half-savage chiefs, who, acknowledging the titular supremacy of the royal race, the supposed descendants of the gods, yielded them no effective obedience, nor any enduring attachment. The Merovingian kings discharged none of the essential attributes of sovereignty, but afforded the shelter of their name, and of their nominal power, to the growth of an aristocracy which, dividing among them the land and its inhabitants, prepared the way for the development of the feudal system.

From the centre of that aristocracy emerged a family yet more distinguished by their hereditary genius than by their predominant authority. The third in succession of that lineage, Pepin le Bref, deprived the last of the Merovings of his titular crown. From Pepin it passed to Charlemagne—the most illustrious of all the founders of empire, if such glory be measured by the personal qualities of those by whom empire is acquired and maintained. For Charlemagne may be said to have been born prematurely, and to have belonged, by his character, by his tastes, and by his aspirations, to the eigh-

teenth rather than to the eighth century. In the very depth of that night of ignorance which was interposed between the ancient and the modern civilization of Europe, he emulated the profound policy of Augustus, and anticipated the soaring ambition of Napoleon.

But when the powerful grasp of Charlemagne might no longer hold together the dominions which he had won, they were rapidly dissolved into their original elements. Gaul, or, as she was henceforth called, France, first shook off her dependence on the German or foreign yoke, and then split into as many internal divisions as there were chieftains capable of exempting themselves from the control of the Carlovingian kings. A new territorial aristocracy divided the lands among them. Another family, destined, like that of Pepin, to be the founders of a new dynasty, arose in the midst of the consequent anarchical confusion. Robert the Strong transmitted to his descendants the duchy of France, until at length, in the person of Hugues Capet, they acquired the title of kings of the French people.

It was at first, however, little more than a title. The feudal oligarchs were the real sovereigns of France. They became the founders of a polity of which, since then, the world has never ceased to feel the influence. The feudal system was a scheme of government which the subtle intellect of the Normans first subjected to positive rules founded upon general principles. It was a system derived from the combination of many concurrent elements, such as the patriarchal spirit of the old German tribes—the territorial grants made by the leaders of the German invasions to their military chieftains—the subdivision of those grants by them among their own followers—the conditions of military service on which all such grants were made, and the necessity which in that age constrained every one either to seek protection as a client or to afford it as a patron.

It was, however, an iron despotism. A feudal peer or baron of France was, within his own fief, not merely an absolute monarch, but a monarch invested with powers which, in every other form of government, have been regarded as incompatible with each other. He could make war or peace with any other feudatory. He could make laws (with the consent

of his chief vassals) for the government of his fief and of all persons sojourning within its limits. He was not subject to any law made without his own consent by the king or by any other law-givers. He was the supreme judge in all cases arising within his fief, and over all the inhabitants of it. He might coin and issue money in his own name and at his own discretion. He was not liable to pay any tribute to the king, his suzerain, excepting only such dues as were imposed by the express conditions of the grant under which his feudal estate was holden. He was himself the suzerain of whom all his vassals held their lands. He was not only the lord of the freemen, but, to a great extent, the proprietor of the serfs living within his domain.

I have already referred you to the works of Dr. Robertson, of Mr. Hallam, and of M. Guizot, for an explanation of this singular scheme of government, whether considered as a body of laws, or as a system of national policy, or as a code of moral sentiments. From those great writers you will collect, that no dominion less stern, and no maxims less arbitrary, could have prepared mankind in the Middle Ages for the happier condition which awaited them in more civilized, though distant times. It formed the indispensable, though the terrible discipline of generations which had been trained up in barbarism and in personal servitude. It was, therefore, destined to be a state of transition, and to be itself subverted by changes sometimes abrupt, but more usually gradual and imperceptible. The history of France under the Capetian kings may be said to consist of the record of those changes. That history describes the successive stages of the protracted contest which terminated first in the triumph of the successors of Hugues Capet over the feudal confederation, and then in the subversion of the feudal system, in all its principles and in all its details, by the great revolutionary movements which marked the close of the eighteenth century.

It has, therefore, been my object hitherto to consider each in order of the more considerable steps which led to this result, till the close of the reign of Louis XIV. With that view I attempted to explain how the enfranchisement of the communes, and the consequent growth of the municipal institutions of France, strengthened the royal power, and called into exist-

ence the Tiers Etât as a counterpoise to the authority of the feudal aristocracy. I then considered how the Eastern crusades diminished the number of the feudal serfs and vassals —how they increased the strength and the number of the communes in which the feudal power had its natural and inveterate antagonists—how they tended to terminate the private wars by which the seigneurs asserted and maintained their authority—how they contributed to restore the Roman law in France, and, therefore, to subvert the customs which formed the basis of the feudal dominion—how they promoted a change in the judicial institutions by which the seigneurs administered the law—how they were often fatal to the ancient relations of the feudatories and the royal suzerains to each other —how they tended to impair the power of the feudal chiefs by changing the whole military system of Europe—how they gave to the kings of France a new militia in the great military and religious orders, and how, by promoting commerce and literature, they nurtured the most deadly antagonists of the feudal despotism.

I next pointed out how the Albigensian crusades, coinciding with the annexation to the crown of Normandy and Champagne, brought within the limits of the royal authority the countries extending from the Alps to the Pyrenees, and depressed, in the same proportion, the power of the seignorial confederation.

The assumption by St. Louis of a legislative authority, at first co-ordinate with, and then superior to, that of the seigneurs of the royal domain, but which was ultimately destined to supersede the feudal right of legislation in all the fiefs of France, was the next subject of our inquiries.

I then endeavored to show how the same monarch, by depriving his barons of the right of private war and of trial by battle, laid the foundation of a new judicial system, by which the power, which they had so long exercised as judges in their respective fiefs, was gradually subverted.

Such were the principal, though not the only causes to which I referred the triumph of the Capetian kings over the only body in the state which presented itself as a rival to their power. By means of that triumph they were enabled to acquire, or to assume, prerogatives so vast, as, in the result, to substitute a

royal for a feudal despotism. Yet in France, as in England, there were many influences tending to counteract and to repel this usurpation. There, as here, the privileged orders, noble and sacerdotal, enjoyed great wealth, and still greater authority. The French, not less than the English, courts of justice were the natural guardians of the rights and franchises of all the people of the realm. The municipal corporations of that kingdom, as of our own, possessed the means of defending the national liberties. The representatives of the French people were elected on a more popular suffrage, and on a wider basis, than the representatives of the people of England; and, like them, were convened to assist their sovereigns with their advice and with pecuniary grants. The States-General claimed the power of the purse as distinctly as the House of Commons, and often maintained that power with equal firmness. The Calvinists of France were in no respect inferior to our own Puritans in zeal for freedom of conscience, and, as its inevitable result, for constitutional freedom; and, in their active efforts to attain those blessings, they were unrivaled by their co-religionists in this country. And, finally, our national self-esteem will, I think, hardly persuade us that the pen was ever employed among our own ancestors by writers of more persuasive eloquence, or of more enlarged and liberal minds, than the great authors who wielded that mighty instrument of power among our neighbors. I therefore attempted, at some length, to explain why neither the privileged orders, nor the judicial order, nor the municipalities, nor the States-General, nor the Reformers, nor the men of letters of France, were able to stem the current which bore her forward to what Voltaire calls a resemblance to the government of Morocco.

My last general object has been to show, by some few illustrations, what that despotic authority really was, from the time when Henry IV. first acquired the undisputed possession of his throne, to the time when Louis XIV. conducted the government of France in person. If absolute power could ever be fitly confided to mortal man, where could nobler depositaries of that high trust have been found than in the succession of great men who filled up that interval in the history of their country? What ruler of mankind was ever gifted with a spirit more genial, or with views more comprehensive, than those

of Henry IV.? or with an integrity and a patriotism more noble than that of Sully? or with an energy of will superior to that of Richelieu? or with subtlety more profound than that of Mazarin? or with a zeal and activity surpassing that of Colbert? or with greater decision of character than Louvois? or with a majesty transcending that of Louis XIV.? And yet, what were the results of so much genius and intellectual power when intrusted with political powers so vast and unrestricted? The favorable result was to add to the greatness of France, and to give birth to some undying traditions, pointing to her still more extensive aggrandizement. The unfavorable results were, to produce every possible variety of internal and of external misgovernment—to promote wars more sanguinary than had ever before been waged between Christian nations—to produce a waste of treasure so vast, that the simple truth seems fabulous—to excite a protracted civil war—to create artificial famines by absurd commercial restrictions in a country blessed beyond all other European states with a fertile soil and a genial climate—to kindle persecutions which altogether eclipse, in their enormity, those to which the early Christians were subjected by the emperors of Rome—to subject the territories of the belligerent neighbors of France to desolations for a comparison to which we must look back to the histories of the Huns and the Vandals—and to corrupt the moral sense of the people by the exhibition at the court of their sovereigns of a profligacy of manners resembling that of an Asiatic rather than that of a European monarchy.

It would be easy, but it would hardly be useful, to enlarge the catalogue of the calamities in which France was involved by the absolute dominion to which her rulers had been conducted, first, by their conquest over their feudal antagonists, and then by the inability of the aristocratic, the judicial, the municipal, the representative, the religious, and the literary institutions of the kingdom to balance and to restrain their power. It is enough if we learn to regard such despotism with irreconcilable aversion, and to study with diligence, and to remember with gratitude, the causes to which we are indebted for our own hereditary exemption from it.

Such being the answer which I have already attempted to return to Voltaire's question, so far as it relates to France, I

pass on to inquire what were the chief causes which, during the same period, conducted our own land to the possession of those constitutional franchises of which, at the present hour, we are still the undisputed inheritors? It is not, I confess, without reluctance that I enter on topics at all times so trite and so familiar, and which, in very recent times, have been discussed by Mr. Hallam, and by M. Guizot, and more especially by Sir Francis Palgrave, with such a prodigality of learning, and in so rich and measured a flow of judicial eloquence. Yet I may not forget that misgivings similar to these would obstruct no small part of all our academical studies; that all elementary teaching must, to a great extent, be but the repetition of commonplaces; that the history of our national liberties has for us an interest which may well be regarded as inexhaustible; that it has aspects almost as numerous, and as distinguishable from each other, as are the minds by which it is contemplated; and that even they who are most unworthy to aspire to an equality or to a competition with the great authors I have mentioned, may at least illustrate and verify their conclusions, and may even venture occasionally to dispute and to correct them.

While the Goths, the Burgundians, and the Franks were effecting the conquest and the occupation of Gaul, the Saxons were overrunning the whole of Great Britain south of the Grampians. Their national name, at first confined to the inhabitants of the territories between the Elbe and the Eyder, progressively embraced all the tribes or peoples dwelling between the Weser, the Ems, and the Rhine. It was not till the middle of the fifth century that they first appeared in force in this island; but, within one hundred and fifty years from that time, they had founded here the eight kingdoms of Kent, Sussex, Wessex, Essex, East Anglia, Bernecia, Deira, and Mercia. Gradually retreating before them, a large part of the British or Celtic natives of the soil took refuge in the western mountains, or, crossing the Channel, established themselves on the Armorican peninsula, which has ever since borne from them the name of Bretagne.

The theory that the whole of the ancient British population were driven by their conquerors either into Wales or into Bretagne, rests chiefly, if not exclusively, on the indisputable fact

that, not long after the Conquest, the Celtic had been entirely superseded by the German language; for, with the exception of some few of the more prominent natural features of our country, such as our broader rivers and loftier mountains, the name of almost every object which meets the eye, from the Grampians to the South Downs, from the Severn to the Eastern Ocean, is derived from the Saxon tongue. Here and there some local vestiges of the British, Roman, or Scandinavian nomenclatures perpetuate the memory of still earlier or still later vicissitudes of our national fortunes; but our villages, our towns, our hundreds, and our counties—the animals which depasture our fields—the birds native to our climate—the indigenous plants which we cultivate—the products of our mines—our common trades and mechanical arts—the utensils we employ in them—the members of our bodies—the ordinary actions of our lives, and whatever is idiomatic, pungent, and forcible in our common speech, all bear their concurrent testimony to the fact that we descend from those with whom the language of Saxony was once vernacular. With less distinctness, indeed, yet with no real doubt, our laws and our institutions attest the same genealogy.

I reject, however, as altogether improbable and gratuitous, the hypothesis of the exile into Wales or Brittany of the whole of the native British population who escaped the sword of the German conquerors. A large proportion of them were probably included in that great body of slaves, prædial and domestic, of whom we meet with such frequent mention in the annals of those times. That in that servitude they were tardily but effectually exterminated, will seem incredible to no one who is aware how, even in our own days, the aboriginal races in all newly-discovered territories waste away, and at length disappear in the presence of their more hardy, enterprising, and civilized invaders. Be this as it may, it is at least clear that, during twenty-five successive centuries, the lowlands of our island were chiefly peopled, and were exclusively governed, by members of the great Teutonic family. In France, throughout the same period, there was a vast numerical preponderance of the Gallic or Romano-Gallic over the Teutonic element of society. What was the effect of the slow and imperfect fusion of the two races in that kingdom I have attempt-

ed, in a former lecture, to explain. What was the effect of the undisturbed development of the German habits of thought and action in our own land, it remains for us to inquire.

I have already avowed my belief, that to each of the nations of the earth belongs, by a divine decree, a distinctive character adapted to the peculiar office assigned to each in the great and comprehensive system of human affairs. Thus to France was appointed, by the Supreme Ruler of mankind, the duty of civilizing and humanizing the European world. To England it has been given to guide all other states to excellence in the practical arts of life, to commercial wealth, to political wisdom, and to spiritual liberty. But to Germany was delegated the highest and the noblest trust which has been committed to any people since the Hebrews, the Greeks, and the Romans fulfilled their respective commissions of imparting to our race the blessings of religion, of learning, and of law; for in Germany we revere the prolific mother of nations, the reformer of a corrupted Christianity, and the conservator of the liberties and independence of the European commonwealth. Weakened as she has been in defensive, as well as in aggressive war, by the division of her territory into so many separate states, yet in that very weakness she has found her strength, in the unambitious but beneficent career which, by the prescient will of the Creator himself, she was destined to pursue. The fathers of some of the most aged among us witnessed her first assumption of her rank and proper station in the republic of letters; and we ourselves are witnesses how, in that comparatively new region of national prowess, she has exhibited the same indestructible character which, more than a thousand years ago, enabled her to lay in this island the basis of a government, of which (if our posterity be true to their trust) another thousand years will scarcely witness the subversion. That England has her patrimony on the seas, France on the land, and Germany in the clouds, is a sarcasm at which a German may well afford to smile. For reverence in the contemplation of whatever is elevated, and imagination in the embellishment of whatever is beautiful, and tenderness in cherishing whatever is lovely, and patience in the pursuit of the most recondite truths, and courage in the avowal of every deliberate conviction, and charity in tolerating every form of honest dissent—

these are now, as they have ever been, the vital elements of the Teutonic mind. They may, indeed, not seldom have given birth to an unmeaning mysticism, to visionary hopes, and to dangerous errors. Yet, from their remotest ancestry, the Germans have received these gifts as their best and most enduring inheritance; and, by the exercise and the influence of them, they impressed upon our own ancestral constitution much of that peculiar character which it retains to the present hour.

"By the word Constitution," says Lord Bolingbroke, "we mean, whenever we speak with propriety and exactness, the assemblage of laws, institutions, and customs derived from certain fixed principles of reason, directed to certain fixed objects of public good, that compose the general system by which the community hath agreed to be governed." Assuming the accuracy of this definition, I infer from it that we must seek the Constitution of any commonwealth, and, therefore, of our own, not in the organic structure of its government, but in the living spirit by which it is habitually animated; not in a rigid analysis of the rights and the functions of the various orders of the citizens, so much as in the primæval tendencies, the cherished habits, and the venerated maxims by which the national polity has been molded and directed. I therefore proceed to inquire, What are those principles of our English monarchy which, having been first established by our Anglo-Saxon progenitors, have, from their age to our own, retained among us a perennial and an undisputed dominion?

First, then, whether we listen to the invectives of our neighbors, or to the taunts of some of the most eloquent, though not, I think, the wisest of our ~~fellow~~-countrymen, we are required to condemn and to subvert those hereditary distinctions which elevate some, and depress the rest, of the ranks of society among us. Declining this, and all the other controversies of our age, I limit myself to the statement and the proof of the fact that an aristocracy of birth has ever been among the most active elements of our constitutional polity.

The Anglo-Saxon people were divided into the five classes of kings, nobles, vavasours, ceorls, and slaves—ranks transmitted by inheritance from one generation to another, and which became the salient fountains of the whole body of our national laws, of our most cherished rights, and of our most popular privileges.

First in order in this political hierarchy was what, for want of a more appropriate word, may be called the Royal Caste. Over each of the component kingdoms of the Heptarchy, or, as it ought to be called, the Octarchy, reigned a monarch, who was designated sometimes as the Kyning and sometimes as the Ealderman. In the belief of his subjects, he was one of the descendants of Odin or Woden, whose name, under various modifications, was revered from the shores of the Polar Sea to the eastern verge of the Caucasian Mountains. For that reason, the descent of the crown was strictly limited to the royal, or, rather, to the sacred line. Yet it was not invariably a lineal descent. The collateral was not seldom preferred to the direct heir—the brother, for example, to the son of the last Kyning.

But in the persons of Athelstane and his successors the Anglo-Saxon realms were united into one confederation, though not incorporated into one kingdom. Over these confederate states reigned a sovereign, to whom his people gave the name of Brettwalda—that is, the wielder or ruler of Britain. Thus Athelstane was Brettwalda of the whole of Albion. The men of Kent and the men of Sussex were alike his subjects, but they were not fellow-citizens. He was not only the king of eight adjacent and rival states, but was also the mediator between them. To maintain the principle and the permanency of this federal union, the powers of the Brettwalda over each member of it were, therefore, greater than the powers of any one of the Ealdermen or Kynings in his own dominion, just (to use a very modern illustration) as the Congress of the United States has higher legislative functions, and as their Supreme Court has higher judicial functions throughout the whole republic than the Legislatures or than the tribunals of the component states possess within their several jurisdictions.

Next in rank in the Anglo-Saxon commonwealth were the nobles, designated either as Earls or Thanes. That dignity, when combined with a certain extent and description of territorial property, carried with it high powers, both civil and military. Men of noble birth, when destitute of such property, were also destitute of any political power. But they had privileges from which the inferior members of society were excluded. Thus, even the monk in his cloister, and the priest

in his cathedral (if of noble lineage), claimed and received the honors due to their descent. The word Vavasours, though of later origin, best designates this part of the Anglo-Saxon society.

To the nobles succeeded the Ceorls, or Commons of the realm. Though liable to many burdensome obligations, resulting from the relation in which they stood to their earls or lords, they were regarded by others and by themselves as freemen. They corresponded to the class which we now call the Yeomanry, or to the Tiers Etât of France.

All freemen, who were not themselves lords, were bound to live in subjection to some lord, to whom they swore fealty, and whose banner they followed in war. But the vavasour might choose his own lord, that is, he might attach, or, as it was called, commend himself to any lord who would accept his homage. The ceorl, on the other hand, was a tenant attached to a particular lordship, on which he was required to live, and where he was bound to render to his lord certain fixed services, either personal or pecuniary. Yet the ceorl had often a usufructuary title to some definite amount of land within the precincts of the lordship. From that home he could not be ejected; and if he possessed the means of purchasing a discharge from his adscription or attachment to the soil, the lord could not refuse so to enfranchise him. A ceorl, destitute of such a home, was compelled to find a master who would accept him as a laborer and as an inmate in his household.

These distinctions of rank among freemen were not, however, indelible. A merchant who had thrice crossed the sea at his own expense obtained the dignity of a thane. A ceorl who could acquire, in his own right, five hydes of land, ascended to the same rank. His descendants, in the third generation, if retaining the land, were considered as vavasours, that is, as men of gentle blood and kindred, and as entitled to all the privileges of noble birth.

Finally. The slave, who filled the lowest station in the Anglo-Saxon community, was *res* not *persona*, and as destitute of all political rights and franchises as the bullocks with whom he labored. Such having been the divisions of society among the Anglo-Saxons, I observe,

Secondly, that in their age, as in our own, it was a princi-

ple of the constitution of this kingdom, that the powers of the state should, as little as possible, be combined in a central government, and should, as much as possible, be distributed among the provincial or local authorities; and that this rule was especially observed regarding the administration of justice.

In all modern kingdoms sovereignty is territorial. In all the mediæval kingdoms it was patriarchal. *We* consider all men as the subjects of Him who reigns over their settled place of abode. Our German forefathers considered all men as subject to the monarch of the tribe or confederacy within which they were born. After the tribe had become sedentary, they still gathered round their chieftain and acknowledged his dominion. In this island his domain was called a town or township, a word of which the Norman term manor has since taken the place. The chieftain was the proprietor of the whole of that domain. He was the actual possessor only of a part of it; the rest was granted to his followers as tenants, either for their lives or for other terms, or was left as open fields or commons, of which the lord and his tenants had a kind of joint occupation.

In each township the lord, with the concurrence of his tenants, held courts of justice, then called town-motes, which exist among us at the present hour under the name of courts leet or courts baron. The conservation of the public peace was intrusted to the inhabitants of the township collectively. An officer, called the town-reeve, appointed by the lord, and four good and lawful men of the township, elected by the inhabitants, represented it at the folk-mote, or local assembly of the hundred.

The court of the hundred, or folk-mote, was composed of all the lords and thanes whose townships were included within that district—of the town-reeve and four men already mentioned, representing every such township—of the bishop of the diocese—and of an earl, who acted as the president of the assembly. The folk-mote was at once a court of justice (penal and civil) for the hundred, and a meeting for attesting and perpetuating the memory of a variety of acts, of which, in those days, no written record could be made. Such, for example, were the sale of lands, the payment for them, the enfranchisement of serfs, and the like.

Next in the ascending scale of the local courts of the Anglo-Saxons were the shire-motes, or county courts. Our English counties have their origin from two sources. Some of them are ancient kingdoms reduced to the rank of provinces; others are the dismemberments of such kingdoms. In either case the shire was placed under the authority of an earl. In each shire two shire-motes were holden annually. Sometimes those bodies acted as ecclesiastical synods, under the presidency of the bishop; sometimes as secular courts, under the presidency of the earl, or of the shire-reeve, his deputy. The shire-mote was the grand inquest of the county. Every hundred was represented there by twelve men, and each township by the town-reeve and the four men already mentioned. It was the office of such attendants or representatives to present to the court the grievances of their respective hundreds or townships. It was the office of the court to take cognizance of all such grievances—of all crimes committed within the county—of all complaints of the abuse of power by any subordinate officers—and of all appeals from the judgments of the township or the hundred courts. Such having been the distribution of political and of judicial powers in the Anglo-Saxon kingdom, I observe,

Thirdly, that in that, as in all subsequent ages, the Church of England and the realm of England were co-extensive; that (in theory at least) each embraced, within its appropriate sphere, all the people of England; and that the ecclesiastical and civil states were intimately allied or united to each other. So intimate, indeed, was that union, that each kingdom of the Octarchy constituted a distinct diocese, and every such diocese was considered as a single parish, of which the bishop was the incumbent. By him presbyters were appointed to officiate in the various districts, civic or rural; and by him the annual revenues of the see were appropriated, first, for the maintenance of divine service; then for the relief of the poor; and, finally, for the support of the clergy. The clerks and the laymen then lived under the same code, civil and penal; and, though the exposition of the faith was considered as the peculiar province of synods, the regulation and enforcement of ecclesiastical discipline belonged to the temporal Legislature and tribunals. The king was the patron of all vacant bishoprics, and granted

them, by royal writs or charters, without either the previous concurrence of the clergy, or the subsequent sanction of the pope. If the State thus encroached on the province of the Church, the Church, in turn, assumed some of the functions of the temporal government. The clerical order in those times were in the exclusive possession of the art of writing, and, therefore, of many of the higher secular offices. As by them all royal charters were prepared and transcribed, so they were the keepers or depositaries of them. To the clergy, also, it thus belonged to devise and issue those royal mandates or writs, which then, as now, were the foundation of all civil actions. Hence arose the Chancery, or Officina Brevium; and hence, also, was chiefly derived that peculiarity of the English judicial system, the jurisdiction of a judge of equity, whose province it is to supply the defects and to mitigate the rigor of the ordinary administration of justice.

Fourthly. I observe that, from the era of our earliest Anglo-Saxon records, England has never acknowledged any other than a monarchical government. In the Anglo-Saxon king, or Brettwalda, resided in theory (if not in fact) all the powers of the state, and from him flowed, or were supposed to flow, all offices and dignities subordinate to his own.

Thus he was in all causes the great and the ultimate judge. As the supreme lord or suzerain of the realm, all his thanes were amenable to his judicial authority. As commander-in-chief of the military forces of the state, all offenses committed *sub vexillâ* came within his cognizance. As sovereign of all the denizens of his kingdom, he punished all offenses accompanied by violence or rapine; remedied the defects of the law which he administered; supplied the omissions of it when it was silent; infused energy into the administration of it when it was feeble; and mitigated the severity of it when it was oppressive or burdensome. As judge of appeal, he afforded redress to any suitor who had sought it in vain in the hundred or county courts. As owner of the four great roads which traversed the island from east to west and from north to south, he had a special care of all who traveled along them; and crimes committed on the king's highway thus came to be regarded as falling especially within the jurisdiction of the king.

His presence, his vicinity, or his express grant, carried with

it a special protection, which was called the king's peace. It was a privilege which always prevailed throughout a circle of which his mansion was the centre, and of which, for some mystic reason, the radius measured three miles, added to three furlongs, three acre breadths, nine feet, nine palms, and three barley-corns.

On his coronation, and at the three great festivals of the Church, the king's peace was extended throughout the whole realm. All violations of it were considered as injuries to the king himself, and rendered the transgressor amenable immediately to his penal jurisdiction.

The judicial powers thus vested in the Brettwalda were exercised by him in person. Thus Edgar made two judicial circuits in each year, and Canute appears to have observed the same practice. Such royal visitations were, indeed, indispensable at a time when each of the component states, or the kingdom of Britain, still retained laws and customs peculiar to itself, and was under the rule of earls or viceroys, whose abuse of power could be arrested by no other means.

But the Anglo-Saxon king or Brettwalda had many other than these judicial prerogatives. He was the patron of all the dignities and offices of his government, appointing, and at his pleasure displacing, the aldermen, earls, thanes, sheriffs, heretarchs, and all other great functionaries, civil or military.

He was in possession of large revenues. His royal domains were nearly equal to the domains of all his principal chieftains combined together. He received customs at every sea-port, and tolls in all open markets. He was entitled to money payments from every incorporated city or borough, in commutation of the services due to him from the citizens. Heriots were rendered to him on the death of all of his thanes, and to him were paid the forfeitures imposed on offenders in various cases of conviction from crimes.

But his highest prerogative was that of legislation, which, however, he exercised in concurrence with the wittenage-mote. For,

Fifthly, I observe that, even in that remote age, England was never destitute of assemblies, meeting under the presidency of the King of England, for the enactment and promulgation of laws.

Each of the component kingdoms of the Anglo-Saxon monarchy had a separate wittenage-mote, or Council of the Wise. Probably this may in each have been but another name for the shire-mote, or County Court, already mentioned. But concurrently with them the Brettwalda, or King of Britain, held a general wittenage-mote, or Diet of the kingdom at large. At every such assembly he presented himself to his subjects in all the splendor of royalty. There also appeared all the prelates of the realm, the ealdermen, the earls, and the thanes, of each of the states, or minor kingdoms, or shires, over which he was supreme; and all the high officers of his government, both lay and clerical. In this supreme wittenage-mote laws were enacted in the name of the Brettwalda. In terms, at least, the authority of them was co-extensive with the limits of his dominions. But, in fact, the acceptance of such laws, by what may be called the local or inferior Legislatures, was essential to their validity within the precincts of each. Thus we learn that the laws of Edgar were long rejected in Mercia, those of Athelstane in Kent, and those of Canute in Northumberland.

But the wittenage-mote was not merely a Legislature. They constituted, also, a court of criminal jurisdiction, and especially in cases in which an accusation, or, as we should now say, an impeachment, was preferred against any ealderman or earl, or against any thane, who was an immediate vassal of the crown.

The wittenage-mote possessed, also, much of the character of a congress of independent powers, in which those whom we should describe as the great vassals of the crown deliberated on all questions affecting their respective states or communities, and entered into compacts for raising money, or for the adoption of other measures required by the exigencies of the whole Anglo-Saxon commonwealth.

Mr. Sharon Turner has labored to prove that the wittenage-mote included members holding neither office nor dignity, but who appeared there as representatives of the absent vassals or citizens. He is contradicted, on what appear to me conclusive grounds, by authorities more recent, and, indeed, much higher than his own, and especially by Dr. Lingard and by Sir Francis Palgrave. It must, indeed, be confessed, that all inquiries into the composition, the rights, the powers, and the modes of procedure of this great assembly, are involved in an obscurity which

the most profound research, the ripest learning, and the keenest subtlety of our most eminent antiquarians have not been able altogether to dispel. Yet no fact can be more exempt from reasonable doubt than that, during nearly two centuries before the Norman Conquest, a national assembly, comprising such dignitaries, and habitually exercising such functions as I have mentioned, formed, under the Anglo-Saxon kings, one great element of our national government and Constitution.

Such were the main fundamental principles of the Anglo-Saxon Constitution—principles which may, with ease, be dogmatically stated, but which can hardly be understood aright except as they are illustrated by the laws, the arts, the manners, and the literature of the Anglo-Saxon people. What these were may be learned from Mr. Sharon Turner, of whom M. Guizot says that he has diligently collected an abundance of facts, but possesses few ideas. If that censure were better founded than it really is, it would not, perhaps, derogate much from the esteem in which that wise and amiable writer is held by us, his fellow-countrymen; for we are accustomed to think that history and philosophy have each their own appropriate spheres; that each should inform and be infused into the other, not confounded with it; and that a complete, luminous, and accurate narrative of events may reasonably be preferred by a historian to the most subtle explication of their connecting principles.

If Mr. Sharon Turner's speculative wisdom be not very redundant, it is at least copious enough to establish the fact that Teutonic ideas and Teutonic habits were planted by the Saxons in England, as they had been by the Goths, the Burgundians, and the Franks in France. But the growth of those ideas and habits was more active here than there, and the development of them far more complete; for, in this island, the German race, alloyed by no foreign admixture (the Danes were but another branch of the great Saxon family), had, long before the Norman invasion, impressed upon our people a character at once peculiar, indigenous, and indestructible. From them our fathers' fathers inherited, and have transmitted to our own generation, a body of opinions, of maxims, and of moral sentiments, in which may be found for their polity and for our polity a common root, and origin, and lineage. That

their Brettwalda and our Queen—their earls, and thanes, and our nobility—their shire-motes and our Circuit Courts—their wittenage-mote and our Parliament, were so many constituted authorities, identical in all things except in the epochs in which they flourished and in the names by which they were designated, is, indeed, only one of those pleasant dreams which haunt and animate the antiquarian as he treads his dry and dusty path. But that, under the widest diversities of forms, there is yet much real sameness of substance between the institutions of England as they formerly existed in the ninth, and as they actually exist in the nineteenth century, is a fact susceptible of the clearest proof, and replete with the deepest interest. Nor is the cause of this unbroken continuity doubtful or obscure. Beyond all Western nations, the Germans possess that immutability of character and of habits by which the Oriental races are distinguished; but with the difference that, in the East, an abject superstition and an inert passiveness—in Germany, a solemn imagination—has ever attached the living to the dead, and to those who are yet to live. Serious, dutiful, and meditative, they inhabited this island a thousand years ago, as they inhabit their own father-land now, in patriarchal thoughtfulness, dwelling less in the passing hour than in the generations which are yet to come, and in the generations which have long since passed away. I will attempt, in the fewest possible words, to show how great is the conformity between the living spirit of the institutions which they created, and to which I have already referred, and that of the institutions under which we actually live.

1st, then, that wide inequality between the different ranks and orders of our people which distinguishes our nation at the present day, has been characteristic of it since the days of Edgar and of Athelstane. The aristocratic spirit has at all times pervaded and animated the English commonwealth, but not the aristocracy of birth alone. In the times of the Brettwaldas, successful merit might rise to the privileges of noble descent as freely as in those of Elizabeth or of Victoria. Political power was, indeed, never dissociated from property. The law which exacts from every member of the House of Commons a certain proprietary qualification in land, is but the republication, in a new form, of a law which was in force at the

shire-motes and at the wittenage-motes of our remote progenitors; for to them it was known by a natural sagacity, as it is known to us by a wider experience, that power and property, if not bound together in a strict alliance, will be arrayed against each other in a deadly hostility. Yet power in the state, and the advantages which such power conveys, have never been confined to a single caste among us. It was the policy which our Saxon ancestors have transmitted to ourselves, to render such honors a prize for which all might contend, not an exclusive enjoyment in which a few might luxuriate. They aimed at an equality of rights, not at an equality of conditions. They sought to combine all ranks of free men into one body; not by depressing the noble to the level of the ignoble, but by enabling all men to acquire, by desert and industry, the benefits denied to them by fortune and by parentage. An untutored wisdom taught them that this is the one true and secure equality—the only structure of the social system by which the highest social qualities can be permanently called into exercise for the general good—the single polity which affords an adequate scope for dutifulness, for energy, and for hope in those who aspire to rise; for vigilance, for self-improvement, for condescension, and for sympathy in those who have inherited from their fathers a position on the high places of the earth.

2. With the exception of the years which elapsed between the death of the first and the restoration of the second Charles, England has, during more than a thousand years, been under the rule of hereditary monarchs, who, either in fact or in theory, have wielded all the powers and dispensed all the honors of the state. The prerogatives which our present sovereign exercises, through the agency of responsible advisers, are her inheritance from the Brettwaldas, who, as we have seen, exercised them in their own persons. If, at this day, fleets and armies are raised and commanded in the royal name—if all property, dedicated to public uses, is now vested in the crown—if every stage of every suit or action is conducted by the queen's judicial officers, in obedience to the queen's writs or mandates—if, by her alone, war can be made and peace restored—if all treaties with foreign powers be concluded only in her name—if, at her pleasure and under her great seal, all patents of nobility and all grants of the higher offices of the

state are issued—if, by her, the Legislature is summoned, prorogued, and dissolved—and if all our laws are enacted, not by the three estates of the realm, but by her majesty, with the advice and consent of those estates assembled in Parliament, all these rights or usages form a part of the patrimony of the English crown, which has descended upon her who wears it now, through each of the six dynasties by whom successively it has been worn. Such usages are, indeed, derided as so many obsolete legal fictions by certain scoffers among us, who unceremoniously, if not irreverently, consign all such fictions to the limbo of imposture and of cant, or, in more fashionable phrase, of shams. Those monsters of the modern imagination have, it must be confessed, achieved great triumphs, but perhaps none so great as their entire subjugation of the very writers who have thus most loudly proclaimed war against them, seeing that they are themselves, of all men, the most helpless slaves of cant, if thereby be meant the habitual substitution of certain favorite phrases for real and definite meanings. Wiser, though less witty men, will regard these fictions of our Constitution as among its most sacred and invaluable elements. They survive, not as so many vain traditions of worn-out principles—not as the empty shadows of departed realities—but as the grave, though cautious expression of living truths. They are a homage rendered to hoar antiquity, indeed, but rendered also to prerogatives which, though dormant, are not extinct. They are the records of exigencies which have arisen, and of exigencies which may yet arise, when, for the conservation of society at large, the prerogatives of the English crown may be called into exercise in all their primæval force and in all their still inherent vitality. In the mean time, the theory which recognizes and does homage to these dormant prerogatives is not, in truth (as our facetious satirists imagine), merely fictitious. All who have studied the government of our land, not in books merely, or in magazines and newspapers, but from a close personal observation of it, will attest, that the personal powers of the sovereign of England in the nineteenth century, tempered as they are by the comities of our age, and modified as they are by the forms in use among us, are yet powers not nominal, but real; arduous enough to exercise the highest intellect, and large enough to satisfy the aspirations of the most ardent beneficence.

3. The monarchy of the ancient Brettwalda, as of our modern King, was a limited monarchy. From the days of Alfred and of Athelstane to these days, our sovereigns have reigned (every lover of our national liberties, if wise, will acknowledge that they have reigned) by divine right. There is a deep and a generous philosophy, as well as a more than human wisdom, in the apostolic canon, that "the powers which be are ordained of God"—the powers symbolized, whether by the staff of the constable or by the crown of the monarch. The servile maxims for which that doctrine has been made the pretext are not legitimate deductions from it. They proceed on a total misapprehension of its real meaning. That meaning is, that all human power is indissolubly connected with a corresponding responsibility both to God as its author, and to man as the subject of it. In this spirit it was that, long before and long after the Norman Conquest, the coronation of our kings was regarded, not as an empty pageant, but as an act strictly essential to the assumption and use of their royal authority; for at that solemn ceremony a sacramental unction was (at least) supposed to impart to the English king a sacerdotal character, as the vicegerent among men of the King of kings. That sacred chrism rendered him, at least in popular belief, the anointed of the Lord; but it also rendered him, in popular belief, and often in his own, amenable to those inevitable penalties which the Supreme Ruler of the world would inflict, or would sanction, if the king should violate the oath which he then took before his assembled people to govern them in justice and in mercy.

4. But the limitation of the power of our kings, from the earliest to the latest times, has rested on a surer sanction than any oath, however solemn. To repeat what I have already had occasion to say on that subject in a preceding lecture, "Our land has ever lived under the dominion of law. By that power the physical force of the many, the formidable influence of the few, and the arbitrary will of the monarch, have ever been controlled with more or less of energy and of success. This dominion of the law was exercised in the time of our Saxon progenitors in the folk-motes, the shire-motes, and the wittenage-motes; in our own times, in our courts of justice, and in our high court of Parliament. During more than

a thousand years, our legal tribunals have been interposed between the various orders of the state, to vindicate the rights, and to arrest the encroachments of them all. Throughout that long course of ages, those legal sanctuaries have been at once the bulwarks of order and the strong-holds of liberty in England; and to them it is to be ascribed that the English Parliaments have never fallen, as the Cortes of Spain fell, or as the States-General of France silently disappeared."

5. Since the age when England was governed by the house of Cerdic to the age in which the sceptre passed to the house of Brunswick, there has never been a period in which the powers of the English crown have not been divided, balanced, and controlled by the co-ordinate powers of the English Legislature. No sovereign has ever sat on the throne of this realm except in virtue of a title created by some preceding enactment, or sanctioned by some subsequent recognition of the national Legislature. No such sovereign has ever established a right to inscribe among our laws edicts promulgated in the exercise of his own unaided prerogative. There never was a time when the law-givers of our land were not armed with privileges, judicial and administrative, for their safeguard in the free discharge of that pre-eminent franchise.

There is, indeed, a loose and popular impression, that the Norman Conquest swept away all the institutions of the Anglo-Saxons, and among them the wittenage-mote, substituting no other legislative body in its place. It is easy to detect the causes of that belief. In no other European history do we meet with any conquest which effected so complete, so abrupt, and so lasting a change in the state and fortunes of the conquered people. It has even become the era of our insular chronology; and, for reasons which I can not now pause to explain, has gone far to obliterate the memory and the records of our earlier political constitution. Yet no fact admits of readier or of more complete proof than that all the most important of the legal customs, and legal principles, and national sentiments of England beneath her Brettwaldas, were yet in force in England beneath William the Norman and his descendants to the fourth generation. New names, Norman or Latin, were indeed, in many cases, substituted for the Saxon titles. Thus to the wittenage-mote succeeded the *curia regis*.

But the two were really identical, though nominally distinct. For the most complete and triumphant proof of that fact, I would refer to a dissertation (obviously from the pen of the very learned Sir Francis Palgrave) which is to be found in the sixty-ninth number of the Edinburgh Review. It will enable any student to satisfy himself that the Parliament in which we and our forefathers have so long and so justly gloried, may be traced, through a long but unbroken genealogy, back to the Saxon assemblies which hailed the Confessor, and Canute, and Edgar as their kings.

For the history of our commonwealth from the earliest epoch to our own is that of a people looking before and after, whose retrospect is unwearied, that their progress may be at once constant and secure. Amid all the errors, and all the crimes, and all the miseries which have disgraced and burdened our land, it has ever cherished reverence for the traditions, for the achievements, for the struggles, and for the sufferings of preceding generations—reverence for the church in which they worshiped, for the crown which they honored, for the tribunals which they obeyed, and for the Legislature which, at much cost of blood, and toil, and treasure, they perpetuated—reverence for the laws which they transmitted as a patrimony to their descendants—and reverence for the liberties which they bequeathed as a birthright to ourselves. Nor has our land ever yet been wanting in hope—in a hope sustained by an unfaltering faith in the expansive power of those great principles, of which the truth has been tried by the severest tests, and has been proved alike in our good and in our evil fortunes. To improve, not to subvert—to adapt our institutions to the successive exigencies to which Time has given birth—to encounter and subdue evils real and remediable, not evils imaginary or inherent in the indestructible conditions of all human society—to abandon to the schools all Utopian reveries—to regard the constitution of the realm, not as the absolute property of any one generation of men, but as a sacred trust for which each generation is in turn responsible—such (except during the Cromwellian usurpation) have been the invariable maxims of the English monarchy during a period exceeding that which intervened between the foundation and the extinction of the power of Rome.

To the question of Voltaire then, Why has England so long and so successfully maintained her free government and her free institutions? I answer, because England is still, as she has always been, German; because her national franchises are the spontaneous and legitimate fruit of her national character; of that character, dutiful, serious, persevering, reverential, and hopeful, which has been transmitted to us from our Anglo-Saxon ancestors, and which it now remains for us to transmit to our remotest descendants.

Far different from this is the answer returned by M. Guizot in his "Essai des Causes de l'Etablissement du Gouvernement Représentatif en Angleterre." The powers of that great writer were never exhibited with greater felicity than in that remarkable treatise, in which he traces the liberties of England to the relative positions into which the Conquest brought the Norman people and government on the one hand, and the Saxon people and nobles on the other hand. Luminous and comprehensive as is that commentary on our annals, I think it essentially defective, for the reasons which I have already mentioned; and even inaccurate, for reasons which the time at my command will not now allow me to mention. Yet to any one who wishes to pursue the inquiry which I proposed at the outset of this lecture, it would be impossible to recommend any guide who could be followed with greater confidence, with more advantage, or with equal pleasure.

Here, then, I close the Lectures which it will be in my power to address to you on the History of France during the present academical term. If the necessary time and opportunity shall be allowed to me, I hope, in a future term, to complete them by a review of the Causes of the Decline and Fall of the French Monarchy at the Revolution of 1789.

THE END.

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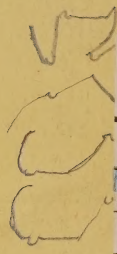

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